Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

August 25, 2016

TO: Laura Shell, Chair
Doug Smith, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis, AICP
Supervising Regional Planner
Zoning Permits East Section

Project No. R2014-02411-(5) – Minor Conditional Use Permit No. 201400014 – Oak Tree Permit No. 201400035 - Environmental Assessment No. 201400194
RPC Meeting: September 7, 2016 - Agenda Item: 6

PROJECT DESCRIPTION

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and encroachments into the protected zone of nine other oak trees. The request was approved by the Hearing Officer on April 19, 2016 and was appealed on May 2, 2016 by Randall Baer on behalf of the Canyon Crest Conservancy.

In response to the public concerns about the oak trees near the proposed development and to clarify the hillside management findings made in the Initial Study, please find enclosed revised findings and conditions for the above referenced item. Draft Findings 30 and 31 as well as the conclusions found under letters "H" and "I" of the draft findings address the Hillside Management Burden of Proof. Draft Finding No. 21 specifies a revision to Condition No. 25 to require five years of inspections by the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") in addition to those required in the County Forester letter dated December 3, 2014. The revised condition does not change the original environmental determination as it does not create any new significant environmental effects and is not necessary to mitigate an avoidable significant effect.

The cover sheet for the original plan set is dated July 7, 2015. Staff from the Department of Regional Planning ("Regional Planning") prepared a memorandum, dated March 31, 2016, to the Hearing Officer that included an email from the applicant

and revised plans that were posted on the website prior to the hearing. Members of the public had concerns that there are several dates identified on different pages of the plan set and there are different versions of the plans that have been circulated. For this reason and because the applicant's plans have been progressing through Building and Safety's plan check, revised plans (hereby referred to as the "Exhibit A") dated April 25, 2016 are included in this hearing package for your review. The attached Exhibit "A" provides updated elevation plans to match the March 31, 2016 revised plans on the website. Changes depicted on the new Exhibit "A" include corrections to the height to be consistent with the approval of the Hearing Officer, revisions to the windows, location of the service panel, reduction of the entryway, and the addition of a crawlspace access door. The original plans and revisions are available to view on the Department of Regional Planning's website at: http://planning.lacounty.gov/case/view/r2014-02411/

PROCEEDINGS BEFORE THE HEARING OFFICER

A duly noticed public hearing was held on April 5, 2016 before the Hearing Officer. After receiving testimony from the applicant and members of the public, 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, a third-party arborist that provided comments on the applicant's oak tree report.

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 which included a response by the project arborist addressing 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 received additional testimony from the applicant and members of the public. The County Biologist clarified that the project contains oak woodland, but that the impact to the oak woodland would be less than significant. Therefore, no Oak Woodland Management Plan would be required because the standard conditions of the oak tree permit sufficiently recover any losses to trees and woodland values. Regional Planning staff also responded to questions from the Hearing Officer regarding the determination of height for the project. The Hearing Officer concluded that the responses by the project arborist have satisfactorily addressed the issues raised by Ms. Latta. 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.

REASONS FOR APPEAL

"The Canyon Crest Conservancy appeals the decision of the Hearing Officer because it believes that the project does not conform with 1.) County land use regulations including but not limited to the Altadena Community Standards District; 2.) County ordinances and planning requirements including the County Oak Tree Ordinance, County Oak

Woodlands Conservation Management Plan, and County Significant Ecological Areas Ordinance; 3.) State law including but not limited to the California Environmental Quality Act; as well as 4.) any other issues raised during the pendency of this Matter."

RESPONSE TO APPEAL

Staff is unable to respond to the appeal statement; the specific deficiencies of the case as it relates to compliance with County Code and state law were not identified. As is outlined in the staff report and draft findings, staff has reviewed the project and finds it to be consistent with County Code and state law:

The subject property is located in the R-1-10000 (Single-Family Residence-10,000 Square Feet Minimum Required Lot Area) Zone. Pursuant to Section 22.20.070 of the County Code, single-family residences are a permitted use in the R-1-10000 (Single-Family Residence-10,000 Square Feet Minimum Required Lot Area) Zone and are subject to the following development standards:

Development Standards for Single-Family Residences

- Every single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other similar roofing material in compliance with Title 26 of this code, except that reflective, glossy, polished and/or roll-formed type metal roofing is prohibited. The applicant proposes use of a standing seam metal roof for the project and indicates that it will be neither reflective nor roll-formed. As the property is within a Very High Fire Hazard Severity Zone, a metal roof is preferred to wood-shake or other more flammable materials. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material, except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited. The applicant proposes use of a noncombustible steel siding for the project and indicates that it will be neither reflective nor roll-formed. As the property is within a Very High Fire Hazard Severity Zone, metal siding is preferred to wood-shake or other more flammable materials. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall be not less than 20 feet in width (except as provided in Section 22.20.105.A.3). The floor plan of the residence depicts a width of 29 feet and five inches on the main level of the house facing Canyon Crest. At the narrowest portion of the residence, the width is indicated as 21 feet and nine inches. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall have a floor area of not less than 800 square feet. The proposed residence will have a total of 1,699 square feet of habitable space (including the loft area). Therefore, the design of the residence is consistent with this development standard.

Pursuant to Section 22.44.127.D.1 of the County Code, establishments in the R-1-10,000 Zone of the Altadena Community Standards District are subject to the following development standards:

Front Yard Setback

- The front yard shall not be less than the average depth of all of the front yards on the same side of the same street on the same block. The average front yard setback is 22.4 feet and the proposed front yard setback is 23 feet. Therefore, the project is complying with this development standard.

Side Yard Setback

- Each side yard shall not be less than 10 percent of the average width of the lot or parcel, but in no case less than five feet for interior and corner side yards. Each required yard shall not be less than 15 feet where any portion of a residence or other structure within that yard exceeds 23 feet in height. The residence exceeds 23 feet in height and therefore, the minimum side yard setback is 15 feet. The project provides a 15-foot side yard setback. There is a portion of the deck that extends two feet into the side yard setback; however, pursuant to Section 22.48.120.G, balconies above the level of the first floor may project a distance of two feet into a required interior side yard provided that they are open and unenclosed, they are not closer than three feet to any lot line, and they are not covered by a roof or canopy except as provided in Section 22.48.120.E.

Rear Yard Setback

- For lots that are over 40,000 square feet in size, the minimum rear yard is 35 feet. The residence is proposed to be over 300 feet from the rear property line and is therefore, in compliance with this development standard.

Height

- For lots that are over 40,000 square feet in size, the maximum height is 35 feet. The proposed maximum height for the residence will not exceed 34 feet and 10 inches. Therefore, the design of the residence complies with this development standard.

- The maximum number of stories above grade is two. A "cellar" is defined in Section 22.08.030.C as "that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling" and shall not be considered a story above grade. As the topography of the property varies, the house has multiple levels which vary with the hillside. The applicant provided calculations to determine whether the lowest level of the household, where the two bedrooms and bathrooms are located, would qualify as a cellar. The area below grade occupies 51 percent of the total lower level area and therefore, the space qualifies as a cellar, by definition, and does not count as a story. The explanation provided by the applicant is attached to the staff report and is identified as "Attachment No. 1."

Gross Structural Area ("GSA") and Lot Coverage

- The maximum GSA or Lot Coverage = (.25 x net lot area) + 1,000 square feet. In no event shall the maximum GSA or maximum lot coverage exceed 9,000 square feet. The Los Angeles County Assessor indicates that this property has an area of approximately 44,390 square feet. Therefore, the maximum GSA and Lot Coverage would be 9,000 square feet. The proposed residence will have a GSA of 1,699 square feet and a Lot Coverage of 1,159 square feet.

Parking

- A residence with between one and four bedrooms shall provide two on-site vehicle parking spaces together with a maneuvering area and driveway. "Bedroom" means any habitable room or space with a closet which is designed to be capable of being used for sleeping purposes, excluding rooms commonly used for living, cooking, or dining purposes. The proposed house has two identified bedrooms and an office area that could be used as a bedroom. Therefore, two on-site parking spaces are required and two are provided.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A Minor Conditional Use Permit ("Minor CUP") is required in order to construct a new single-family residence in the hillside management area of the Altadena Community Standards District ("CSD") pursuant to Los Angeles County Code ("County Code") section 22.44.127. An Oak Tree Permit ("OTP") is required in order to remove one oak tree and encroach within the protected zone of nine other oak trees for the construction of the single-family residence pursuant to County Code section 22.56.2060.

Regarding the Minor CUP: County Code subsection E of section 22.56.085 states that "[t]he decision of the hearing officer may be appealed to the commission. All appeals shall be…subject to all of the other provisions of Part 5 of Chapter 22.60 except that the decision of the commission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal."

Regarding the OTP: County Code subsection B of section 22.56.2240 states that "[t]he decision of the commission shall be final and effective on the date of decision. Appeal of an oak tree permit to the board of supervisors is only allowed where an oak tree permit is concurrently considered with a permit, variance, zone change or tentative map for a subdivision, including a minor land division, and such oak tree permit shall be appealable only as a part of an appeal on the concurrent entitlement."

ENVIRONMENTAL DOCUMENTATION

A Negative Declaration is the appropriate environmental document under the California Environmental Quality Act and the County environmental guidelines. The Initial Study concluded that there is no evidence that the project may have a significant impact on the environment.

IT IS RECOMMENDED THAT THE COMMISSION, AFTER THE PUBLIC HEARING:

1. Deny the appeal.

2. Adopt the Negative Declaration associated with Environmental Assessment No. 201400194, finding that the project will not have a significant effect on the environment.

3. Approve Project No. R2014-02411-(5) consisting of Minor Conditional Use Permit No. 201400014 and Oak Tree Permit No. 201400035, and revise Condition No. 25 as recommended in the attached draft conditions.

SUGGESTED MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND ADOPT THE NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION AFFIRM THE DECISION OF THE HEARING OFFICER AND APPROVE MINOR CONDITIONAL USE PERMIT NUMBER 201400014 AND OAK TREE PERMIT NUMBER 201400035 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

If you need further information, please contact Maria Masis at (213) 974-6435 or mmasis@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM

Enclosures:
Draft findings and conditions of approval
Comments received subsequent to the April 19, 2016 hearing
Appeal Form
Updated Exhibit "A" April 25, 2016
Hearing Officer Approval Package
Supplemental materials for the Hearing Officer
Hearing Officer Hearing Package

DRAFT 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, Randal Baer, on behalf of the Canyon Crest Conservancy, appealed the Hearing Officer's decision.

20. *To be inserted after the public hearing to reflect hearing proceedings.*

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.

MM
8/25/16

c: Each Commissioner, Zoning Enforcement, Building and Safety

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 your appeal period ends **April 26, 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 **June 5, 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.

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

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

GAIL FARBER, Director

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/ldd/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

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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

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- 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.

Reviewed by: Wally Collins Date: February 3, 2015

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

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

JI:jl

Enclosure

Kristina Kulczycki

From: Carol Moore <iloveatwater@yahoo.com>
Sent: Wednesday, August 24, 2016 3:24 PM
To: Kristina Kulczycki
Subject: Project No. R2014-02411-(5), ROAK 201400035 and RMCP 201400014

August 23, 2016

In the matter of:
Project & Permit(s): Project No. R2014-02411-(5), ROAK 201400035 and RMCP 201400014

Project Location: APN: 5830-003-016 on Canyon Crest Road within the Altadena Zoned District

Dear Kristina Kulczycki and other interested parties in the matter stated above,

I would like to share with you my opinion in regards to the applicant's request. First, the applicant "requests a Minor Conditional Use Permit…" What the applicant seeks to do is NOT minor. When you look at the location of the applicant's proposed new single family residence, this is clearly a place where no structure is meant to be constructed. I say not "meant to be constructed" because the applicant also intends to remove an oak tree AND "encroach into the protected zone of nine other oak trees." Enough destruction has been done in our area of Altadena. Case in point, La Vina.

Those of us that live in this area of Altadena appreciate the quiet and peace that living here affords us. We are not troubled by freeway noise, police helicopters and city lights. The applicant is extremely selfish in asking some 250 households to give up our quiet and peace while they have their construction vehicles blocking our lovely road and causing disruption to our community. Los Angeles County clearly does not respect the people living in these 250 households and the nature surrounding us if they grant the applicant's requests.

The blocking of Canyon Crest Road is a major safety concern. Canyon Crest Road is a small, winding, two-lane road. It can be precarious to drive when the weather conditions are good and no obstacles are present. Something innocuous, like a delivery truck or a trash can, would not be a big deal on most residential streets, but these things can cause major hazards to drivers, pedestrians and cyclists on our road. (Please note: we have no sidewalks or easements on the sides of the road). I cannot imagine the havoc caused with construction crews and vehicles obstructing the road during the building of the applicant's house.

In addition, emergency vehicles would be impacted by the applicant's construction. By emergency vehicles, I'm not just talking about ambulances, paramedics and the fire department responding to medical emergencies, but also fire crews. We live in a high fire hazard area. In 2009, the Station fire in the Angeles National Forest struck the area. I moved into my home after the Station fire. As a result of that fire, the stream that runs under Canyon Crest Road overflowed, blocking off Canyon Crest Road to the residents in the Meadows. The residents were forced to walk with their belongings down the steep incline of Canyon Crest Road.

Perhaps this incident does not seem relevant to the applicant's request, but what this incident illustrates is that we here on Canyon Crest Road, more than any other road you may be familiar with, are at the mercy of nature. We cannot predict the chain of events that will happen when one thing happens. Remove one oak tree, kill nine others, then what?

We residents of Canyon Crest Road respect nature and want to be part of it. We treasure our oak trees. And this applicant comes along wanting to remove an oak tree like it means nothing. There is a reason why the oak trees belong to a protected zone… to be protected. What kind of people would be so uncaring as to think that their actions are somehow OK? Justified? If said applicant wants to destroy protected trees, they should go do it somewhere where the community does not care. I am here to tell you, I care.

It breaks my heart and troubles me that the applicant is so determined and headstrong to build his/her home on this hillside. I invite you, Kristina, and any other people involved in the denial of the applicant's request, to visit us here on Canyon Crest Road. I know that you will understand my feelings once you see where we live.

Thank you for your time and consideration.

Sincerely,

Michael and Mindy Hickman
3617 Canyon Crest Road
Altadena, CA 91001

K. Kulczycki
Los Angeles County Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

Re: Project #R2014-02411-(5), ROAK 201400035 and RMCP 201400014

To Whom It May Concern,

We believe the proposed project referenced above is in conflict with issues regarding public safety and several items included in the Altadena Community Standards, Hillside Management, Oak Tree Protection and Significant Environmental Area L.A. County Ordinances.

We think the Oak Tree Permit for this project should be denied until or unless an Environmental Impact Report (EIR) is conducted for the subject property, considering the oaks are part of an Oak Woodland, and damage to any or all of the trees might contribute to habitat fragmentation and the decline and destruction of valuable natural and biological resources in an important and sensitive ecological zone.

Contrary to the applicant's opinion that the Wildlife Migration Corridor is "at the bottom of the canyon", much, if not most of the wildlife activity and travel occurs along the upper edges of Lower Millard Canyon at the cusp of the urban/wildlife interface. The proposed structure would block a crucial section of this biological resource conduit.

We are constantly reminded of the negative effects of wildlife displacement and habitat fragmentation when we see coyotes, bears and mountain lions in our neighborhoods and yards killing our pets and threatening our children.

The applicant says, "The animals will find a way around [the building]", but that doesn't change the fact that this is a poorly chosen piece of property to develop on a variety of levels. It is just one more example of environmental destruction and wildlife being forced out of an established path that has been in use for at least sixty-five, and probably hundreds of years due to the selfishness of one or two people who wish to put their desires above all else; and a system that allows this at the expense of the community and the environment.

We, as a society, need to become more aware and pay attention to the damaging effects that even relatively small alterations can have on an environment that we all must rely on and share.

Under the circumstances, we do not understand why DRP would hesitate in requiring an EIR before allowing development in such a fragile natural area.

We also feel the proposed development on the subject property violates several elements of the Altadena CSD which "are intended to ensure additional oversight on parcels where new development might pose risks to public safety and negatively impact the visual environmental character of the community of Altadena"*.

Specifically, the proposed structure is not "compatible in size and scale with the characteristics of [the] surrounding residential neighborhood" (CSD 22.44. 127 (A)). The design is aesthetically incongruous and conflicts with the aesthetic parameters of existing residences in the surrounding area. The proposed building site is on an extreme grade that greatly exceeds any other home sites in the vicinity. Such development would require intrusive and geologically disruptive building techniques to accomplish, and would be visually invasive and destructive to the natural character that defines the area.

The project proposal suggests a modest two-story structure, though the plans reveal four distinct levels, and the applicant redefines terms such as "cellar", "basement", and "grade" to accommodate a structure that is essentially sixty feet high from the lowest point to the highest point, including an allegedly "non-living space" attic/loft with a ceiling high point of twenty-two feet and an eleven foot tall window for "storage". The entire north face of the planned structure consists of large blank walls, contrary to the Hillside Management standards that require "structures incorporate articulated surface faces instead of flat blank walls".

It appears the applicant also wishes to sidestep public safety, as evidenced in his May 21, 2015 email exchange with Juan Sarda of DPW, regarding traffic lane restrictions on Canyon Crest Road during construction, in which he (the applicant) "assumes" a two foot trench in the street, with a four foot tape off past the edge of the trench, which would restrict the only open traffic lane to eight feet wide at one point (two feet less than the minimum ten foot requirement); the applicant suggests to Mr. Sarda, "Maybe we could fudge the tapeoff by 1ft in this area and call it good enough?". To pose such a question clearly demonstrates a lack of understanding of the area dynamics and a complete disregard for the safety of the two hundred plus residents of The Meadows, who rely on the already narrow Canyon Crest Road as the only route to and from their homes, as well as the only ingress/egress for emergency vehicles to access an area of high fire danger.

If the project is allowed as planned, strict adherence should be maintained by DPW with regard to Altadena CSD Section 22.56.090. iv concerning any grading occurring during the rainy season, defined as October 15 through April 15 of the subsequent year. This is particularly important, as the proposed construction will disrupt/divert an active drainage channel that feeds into Millard Creek from Canyon Crest Road during the rainy season. The digging of several deep pits to accommodate supports for the proposed structure could also have negative erosive consequences in times of heavy rain.

In conclusion, I will mention my disappointment with Ms. Kulczycki as the County Planning Officer in charge of these applications. Though I expected an equal, balanced and objective interaction, she has clearly exhibited a bias in favor of the applicant and in opposition to current residents of the area who are not in favor of the project. During my very first telephone exchanges with her in July 2015, she gave me misinformation about the proposed project and misled me about her opinions of the applicant (Mr. Kuhn). She told me not to say anything about those conversations to anyone else. I found out about the deception much later, after other facts came to light regarding email exchanges between she and the applicant; a workplace connection between Ms. Kulczycki's husband and Vandi Verma, and a statement she made to me regarding the project that she later denied to one of my neighbors.

Considering these and many other issues that have been brought up by several opponents, we feel RPC should revisit and reconsider the various approvals that have been granted this proposed project.

Respectfully,

Michael and Mindy Hickman

3617 Canyon Crest Road
Altadena, CA 91001

(626) 398-6471
vht@att.net

* Andrea Sheradon Ordin (County Council), by Elaine M Lemke (Principal Deputy County Council, Property Division), Excerpted from Letter to L.A. County Board of Supervisors.

Petition to Los Angeles County Regional Planning Commission

Petition summary and background	Petition for Denial of Building Permit for New Construction at 3577 Canyon Crest Road, Altadena
Action petitioned for	We, the undersigned, wish to express our objection to the new construction proposed at 3577 Canyon Crest Road Canyon Crest Road is a narrow 2-lane thoroughfare and is the only access road to 250 homes along Canyon Crest Road and The Meadows. Any restriction of this road incurred by utility trenching for a private residence will present an unnecessary hazard for all local residents as well as any emergency response vehicles. The Altadena Town Council's conditional restrictions that all construction equipment, materials and vehicles be contained within the protected oak woodlands zone are not attainable, nor enforceable and will negatively impact the lives and safety of all local residents. We believe that the specific intent of the 2010 Altadena Community Standards District Hillside Ordinance to restrict new hillside construction has been neglected by the county and needs to be reassessed by the commission. Therefore, we request that the Los Angeles County Regional Hearing Commission deny the current application for a building permit at 3577 Canyon Crest Road and keep this canyon property in its natural state.

Printed Name	Signature	Address	Date
MICHA FOELZ		4372 CANYON CREST RD.	7/16/16
Michiko Lynch		3589 Canyon Crest Road, Altadena CA 91001	07/16/2016
John Steinmetz		3404 Canyon Crest Rd, Altadena 91001	7/17/2016
GINGER LEE		2046 N. Garfield Ave PAS	7/17/2016
Lin Griffith		737 Colman St, Altadena CA 91001	7/17/2016
Sylvia Holmes		1270 Wabash St Pasadena CA 91103	7/17/2016
JOHN LYNCH		3589 CANYON CREST RD ALTADENA CA	7/17/2016

Printed Name	Signature	Address	Date
ERIK HILLARD	[signature]	3461 CANYON CREST RD 91001	7-17-2016
Christina Heath	Christina Heath	3467 Canyon Crest Rd 91001	7-17-2016
Glyn Samuel	[signature]	3329 Canyon Crest Rd 91001	7/17/2016
Iami Matsumura	Iami Mat	740 W. Loma Alta Dr, 91001	7/17/2016
Carol Raymond	Carol Raymond	3346 Canyon Crest Rd 91001	7/17/2016
ARTO Sultanyan	[signature]	3382 Canyon Crest RD 91001	7-17-2016
Charles Ian White	[signature]	4575 Risinghill Rd 91001	7-18-2016
ANDRÉ BARNUEL	[signature]	3556 CANYON CREST RD 91001	7/19/2016
William Trousdale	William Trousdale	3566 Canyon Crest Road 91001	7/19/2016
Marion Trousdale	Marion Trousdale	3566 Canyon Crest Road 91001	7/19/16
Sumner Miller	[signature]	595 ORANGE GROVE CIRCLE 91105	7/19/16
SCOTT HENLEY	[signature]	1522 E. TOPEKA ST. 91104	7/17/16
Chris Aoki	[signature]	8224 Tampierre Ave City. 90505 California	7/20/16
JOSEPH Abraham	[signature]	942 S. WASHINGTON Blvd Pend	7/20/16
Elliott Kahn	[signature]	13531 REEDLEY ST, PANORAMA CITY, CA, 91402	7/20/16
JANUARY NORDMAN	J Nord	989 LEHIGH ST ALTADENA 91001	7/21/16

Printed Name	Signature	Address	Date
Nancy Chin		1544 Turnbull Canyon Road Hacienda Heights, CA 91745	7-18-16
DUANE VAN WINKLE		1300 GRAVELIA ST ALTADENA, CA 91001	7-23-16
Laura Randall		3665 Canyon Crest Rd Altadena CA 91001	7-23-16
John Kimble		3665 Canyon Crest Rd Altadena CA 91001	7/23/16
Sabrina Bachelor		3637 Canyon Crest Rd Altadena, Ca 91001	7/23/16

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Printed Name	Signature	Address	Date	
Randall Baker		3588 Canyon Crest Road Altadena	7-28-16	29
Patty Watson Wied		3460 Loma View Dr. Altadena 91001	7-28-16	30
PEG CASEY	P. Casey	3461 CANYON CREST		31
Melissa Mason		4001 Canyon Dell Altadena	8-6-16	32
Jonathan McGinn		4003 Canyon Dell Dr Altadena	8-6-16.	33
Jennifer Cote		4003 Canyon Dell Altadena	8-6-16.	34
Maxine Snow		4005 Canyon Dell Dr	8-6-16	35

Printed Name	Signature	Address	Date	
Lee Reeding		4005 - Canyon dell Dr	8-6-16	36
Diane Robinson				
Diane Robinson		4007 - Canyon dell Dr	8-6-16	37
William Robinson		4007 Canyon Dell Dr.	8-6-16	38
Steve Larson		4004 Canyon Dell Dr.	8/6/16	39
Theo Clarke		5000 Risingkill Rd	8/6/16	40
ALINA MILAN		4377 El Prieto Road.	8/6/16	41
Tamara Baindridge		4390 El Prieto Rd	8/6/16	42
Mitch Scott		4239 Canyon Crest Rd	8/6/16	43
ERIC HOCHBERG		3737 CANYON CREST RD	8/6/16	44
Stephanie B Sajjadieh		3530 Fairchild St La Crescenta	8/6/16	45
MICHAEL HICKMAN		3617 CANYON CREST RD.	8/9/16	46
Mindy Hickman		3617 CANYON CREST RD.	8/9/16	47
SCOTT BROWN		3380 FLORECITA DR. 91001	8/13/16	48
LAURA TAKARAGAWA		" Sun Glove (3380 Florecita Dr.)	8/13/16	49
SAMUEL WU		1848 NAVARRO AVENUE PASADENA, CA 91103	8/17/16	50

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Printed Name	Signature	Address	Date
SHARI ASPLUND	Shari Asplund	4511 El Prieto Rd, Altadena	7/19/16
NILS ASPLUND	Nils Asplund	4511 EL PRIETO RD, ALTADENA	7/19/16
RAY BACKES	R C Backes	4520 El Prieto Rd Altadena CA	7/31/16
~~Evangeline Whitehead~~			
Evangeline Whitehead	Evangeline Whitehead	4520 El Prieto Rd Altadena Ca.	7/31/16
EICH GRAVENBURG	Eich Gravenburg	4440 El Prieto Rd Altadena Cal	7/31/16
Lauren Sparrow	Lauren Sparrow	4784 El Prieto Rd	7/31/16

Printed Name	Signature	Address	Date	
JOSHUA KOELEWYN		4450 EL PRIETO RD ALTADENA 91001	7/31/2016	110
David Bechnagel		4344 El Prieto Rd Altadena 91001	7/31/2016	111
THEODORE REYNOLDS		4329 EL PRIETO RD " "	8-2-16	112
DAVE DOODY		4239 CANYON CREST RD	2016 AUG 4	113
Victor White		4229 Canyon Crest Rd	8-4-16	114
STEPHEN SLOBIN	S.D. Slobin	4630 RISINGHILL 91001	8-17-2016	115

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Printed Name	Signature	Address	Date
JANE SZABO	[signature]	4337 Risinghill Rd Altadena CA 91001	7/25/2016
Todd Szabo	[signature]	4337 Risinghill rd Altadena CA 91001	7/25/2016
Andrea Nagata	[signature]	708 E. California Blvd, Pasadena 91106	7/26/16
Susie Miller	[signature]	595 Orange Grove Cir Pasadena 91105	7/27/16
Joanna Nagata	[signature]	65 N San Marino Ave Pasadena 91107	7/27/16
Adam Nagata	[signature]	65 N San Marino Ave, Pasadena 91107	07.27.16
ED RIDDLE	[signature]	3340 FLORECITA DR ALTADENA 91001	7-31-16

Costa Aguirre	Costa Aguirre	3631 Canyon Crest Rd. Altadena, Ca 91001	7/23/2016	29 87
Ruth Agee	Ruth Agee	579 W. Mariposa Altadena, CA 91001	7-24-16	30 88
Diane Martin	Diane Martin	579 W. Mariposa St Altadena	7-24-16	31 89
Katie Driscoll	Katie [illegible]	3624 Canyon Crest Road Altadena CA 91001	7-24-16	32 90
BRANLEY JOHNSON	[illegible]	3624 Canyon Crest Rd. Altadena CA 91001	7-24-16	33 91
Kimauni Crawford	[illegible]	3642 Canyon Crest Rd. Altadena, CA 91001	7.31.16	34 92
Christopher Nyerges	Christopher Nyerges	1363 N Harding Pas 91104	8/10/16	35 93
JAMES BRUNDEL	[illegible]	2974 Raymond Ave. Alt. CA 91001	8/13/16	36 94
Louise Gonzalez	[illegible]	2974 Raymond Ave. Alt. 91001	8/13/16	37 95
Alex Boone	Alex Boone	4950 Rising Hill Rd. Altadena CA 91001	8/14/16	38 96
Tonya Bray	[illegible]	same as above	8/14/16	39 97
Ernesto Rodriguez	[illegible]	3640 CANYON CREST RD ALTADENA, CA 91001	8/15/16	40 98
KAREN WIEDMAN	[illegible]	same as above	8/15/16	41 99
Rex Townen	Rex Townen	592 N Raymond Pas Ca	8/15/16	42 100
Elizabeth Bowmen	Elizabeth [illegible]	1839 Blake Ave LA CA 90039	8/17/16	43 101
Leigh McGlukay	LMcGlukay	497 Wapello St. Altadena CA 91101	8/17/16	44 102
Jeanette Lin	[illegible]	1848 Navarro Ave, Pasadena, CA 91103	8/17/16	45 103

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Printed Name	Signature	Address	Date
Christine Moisson		3435 Louis Rd, Palo Alto CA	8/2/16
Leona Jaeger		3265 Lake Ave Altadena CA	8/9/16
Lance Lindenfeld		150 LAMOUR DR La CANADA	8/11/16
Autumn Cunningham		453 W Mariposa St Altadena	8.17.16
Tim Martinez		1404 Chamberlain Ct. Pasadena CA	8/19/16
PATRICK GOTTHARD		215 LAUREL DRIVE ALTADENA CA	8/20/16
MARY GOTTHARD		215 Laurel Dr ALT CA	8/20/16

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Printed Name	Signature	Address	Date
[illegible]	[illegible]	2128 E Woodlyn Rd Pasadena CA 91107	7/26/16
Kendra Singer	[illegible]	4878 Axtell St, LA, CA 90032	7/26/16
Sally Kilby	Sally Kilby	1000 El Centro St #123 S Pasadena CA 91030	7/27/16
Haru Kuromiya	Haru Kuromiya	1000 El Centro St. #201 So. Pasadena	7/27/16
Jacqueline Scarlata	Jacqueline Scarlata	1000 El Centro Apt 320 S. Pas	7/28/16
Jeanne Higgins	Jeanne Higgins	1000 El Centro St. #318 So. Pas 91030	7/29/16
Lynn Ferris	Lynn Ferris	1000 El Centro St. S. Pasadena	7/29/16
[illegible]			

Print Name	Signature	Address	Date	
Nancy SCHURBA	Nancy C Schurba	1000 El Centro St. #307 So Pasadena	7/27/16	65
LISA ZAROWIN	Lisa Zarowin	3930 Los Feliz Blvd #212 LA CA 90027	7/29/16	66
KIT ROSS	Kit Ross	1024 Royal Oaks Dr #210, 91016	7/29/16	67
Beatrice Baez	Beatrice Baez	1000 El Centro St #207	7/31/2016	68
Janice Yen	Janice Yen	4623 Harriman Ave LA 90032	7/31/16	69
SUZY KATSUDA	Suzy Katsuda	3639 Latrobe St LA 90031	8/1/16	70
[illegible]	[illegible]	1000 EL CENTRO SO Pasadena #307	8/10/16	71
Eileen Jaya	[illegible]	920 Arroyo Dr. S. Pasadena CA 91030	8/11/2016	72
Olivia Knighton	Olivia Knighton	1000 EL CENTRO ST So Pasadena 91030	8-12-2016	73
MARITA PINKEL	Marita L Pinkel	1000 EL CENTRO #110 So Pasadena	8/12/2016	74
Frances G. Clark	Frances G Clark	1000 El Centro #307 So Pasadena	8-12-2016	75
ANNETIE SMITH	Annette J. Smith	1000 El Centro #225 So Pasadena	8/12/16	76
KIMIKO KURAMOTO	Kimiko Kuramoto	22200 Victory Blvd. Apt# 4116 Woodland Hills CA. 91367	8/12/16	77
YUKA KUROMIYA	[illegible]	22200 Victory Blvd. #4116 Woodland Hills CA 91367	8/12/16	78
MARIANNA ADAMS	Marianna Adams	1000 El Centro Dr. #307-16 Pasadena	91030 8/13-16	79

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Printed Name	Signature	Address	Date
Anne Van Valkenburgh	Anne Van Valkenburgh	4229 Canyon Crest Rd, Altadena CA 91001	August 8, 2016
Jennifer Mele	Jennifer Mele	300 N El Molino Ave #212 91101	8/17/16
Jun Kurihara	Jun Kurihara	7628 Beeman Ave No Hollywood 91605	8.18.16
Satoko Hirano	Satoko Hirano	715 Blades St. LA, CA 90067	8-18-16
Gina Lee	Gina Lee	5723 Loma Ave Temple City CA 91780	8-18-16
Robert Hirata	Robert Hirata	15220 S Normandie Ave Gardena 90247	8/18/16
Aya Kaito	Aya Kaito	23778 Stonecliff Lane Harbor City 90710	8/15/16

Printed Name	Signature	Address	Date
Estefania Caldera	Estefania Caldera	2826 Wynnewood Ln LA, CA 90023	08/18/16
Kevin Lew		5025 ½ W. 106th St Inglewood, CA 90304	8/18/16
Lauren Markle		300 W. Loma Alta Dr. Altadena, CA 91001	8/21/16
Mary Cross		300 W. Loma Alta Altadena Ca 91001	8/21/16
Paul Hagenmayer		1106 E Topeka St., Pasadena 91104	8/21/16
ANKARINO LARA		1632 KENNETH DRIVE 91105	8/21/16
Susie Lew	Susie Lew	1672 Kenneth Dr 91105	8/21/16
Lola Rivoli		4310 Portola Ave LA CA 90032	8/21/16
[illegible]		[illegible] Alhambra CA	8/21/16
DAVID YUN		2920 S NORTON AVE, LA CA 90018	08/21/2016
Tandy Manweiler		2920 S Norton Ave, LA 90018	08-21-2016
Imelda Fowler	Imelda V Fowler	35 N Raymond Ave #408 Pasadena CA 91103	08/21/16
MARK FOWLER		35 N. Raymond Ave #408 PAS CA 91103	8/21/16
Vania Sultanyan		3382 canyon crest rd ALTADENA CA 91001	08/21/16
David Tomlinson		804 [illegible] Pas, CA 91104	8/21/2016
Eve Kessler		4283 Arana rd Altadena 91001	8/21/2016

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Printed Name	Signature	Address	Date
ROBERT P. THURSTANS	Robert P. Thurstans	4477 RISING HILL ROAD ALTADENA, CA 91001	18 July 2016
RICHARD E COFIELD	Richard E Cofield	1904 N Rosemont Ave Altadena CA 91001	16 July 2016
KARA BJORNLIE	Kara Bjornlie	4470 RISINGHILL RD. ALTADENA CA 91001	23 JULY 2016
CHRIS RACKARD	Chris Rackard	4470 RISINGHILL ROAD ALTADENA CA 91001	26 July 2016
JENNIFER HOMER	Jennifer Homer	4823 BAMFORD PL LA, CA 90042	7-30-16
Sheila Bjornlie	Sheila Bjornlie	455 Almar Ave. Pacific Palisades 90272	7-30-16
HARVEY C BJORNLIE	H C Bjornlie	" "	" "

Printed Name	Signature	Address	Date
RICHARD HARDS		441 W ALTADENA DR. ALTADENA 91001	8.5.2016
ROBERT JOHNSON		4150 CANYON CREST RD, ALTADENA, CA	8-16-16

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Printed Name	Signature	Address	Date
Alexandria Fabbro	A Fabbro	4326 Rising Hill Rd. Altadena, CA 91001	8/14/2016
CHRIS FABBRO	[illegible]	705 CHARTER OAK SO. SO PASADENA CA 91030	8/15/16
CHETU DAVIS	[illegible]	4344 Risinghill Rd ALTADENA CA 91001	8/16/16
Cap Davis	[illegible]	221 S Curtis Ave Alhambra CA 91801	8/16/16
Terry Jenkins	[illegible]	4251 ARALIA ALTADENA CA 91001	8/16/16
Ben Mellish	[illegible]	4274 Arales Rd Altadena CA 91001	8/16/16
Brian Devor	[illegible]	1175 Gravelia St., Altadena CA 91001	8/16/2016

Printed Name	Signature	Address	Date
[illegible]	[illegible]	1180 Granada St Altadena, CA 91001	8/6/16

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Printed Name	Signature	Address	Date
Andrea Angulum		4494 Rising Hill Rd, Altadena	8/4/16
YUKO NOMURA		341 Marathon Rd, Altadena CA	8/20/16
alex shey		341 Marathon Road Altadena CA 91001	8-20-16
RUTH HARO		588 WEST PALM ST, ALTADENA CA	8/20/16
ROSS PINEDO		588 WEST PALM St. Altadena CA	8/21/16
ROB CRAWFURD		3642 CANYON CREST ALTADENA CA	8/21/16
LARRY ATCHISON		3696 CANYON CREST RD ALTADENA	8/21/16

Printed Name	Signature	Address	Date
LYNN AYCOCK		3696 CANYON CREST RD ALTADENA	8/21/16
Robert Green		3770 Canyon Crest Rd. Altadena	8/21/16
CAROL MOORE	CAROL MOORE	3730 CANYON CREST RD ALTADENA	8/21/16
Greg Mann		3746 Canyon Crest	8/21/16
Alex Avelic		3536 Canyon Crest	8-21-16
TAMARA TOLKIN		3551 Canyon Ridge Dr	8-21-16
EDWARD ELLIS	Edward Ellis	3535 CANYON RIDGE DR.	8/21/16
Paul Desmarais		3483 Canyon Ridge Dr	8/21/16
Thomas Norton		3483 Canyon Ridge Dr.	8/21/16
Thomas Dugan		4041 Chaney Trail	8/21/16

Los Angeles County Regional Planning Commission, August 23, 2016

My name is Randy Baer and I own the home directly across the street from Mr. Kuhn's proposed project. The issues my neighbors and I bring up before you today are the very same issues we've been questioning since first learning of this project on July 18, 2015. My neighbors and I have taken the extraordinary step of appealing this case before your commission in hopes of a fair hearing of our objections to what we believe has been the county's flawed process for allowing new residential construction within the Altadena Community Standards Hillside Ordinance District. We believe that the intent and wording of these standards have been inadequately dealt with by the staff of the Regional Planning Department.

I personally believe that the applicant has been shown undue favoritism from the Planning Department by accepting his reasoning and proof that this proposed building is compatible in scale and size with the surrounding homes in my neighborhood. From the peak of the NE garage loft to the base of the SW corner his proposed building measures nearly 62' in height. On a level piece of land this is the equivalent of a 6-story structure.

The wording and the intent of the Altadena Community Standards District Hillside Ordinance is to limit all residential structures to 2-stories. I believe that current county staff has been remiss in their duties to the adjacent homeowners by accepting Mr. Kuhn's 'proof' that his design is never more than 2-stories above grade. By staff's approval of his design with a street level garage encompassing a 22' loft structure, they have been negligent in their duty of ensuring that any *'new structure is compatible in size and scale with the characteristics of the surrounding neighborhood, protecting the light, air and privacy of existing homes'.* (2010 Altadena Community Standards Hillside Ordinance)

County staff's allowance of Mr. Kuhn and his architect to manipulate the intent of the code by qualifying the main living area of their design as a 'cellar' is a stretch of interpretation beyond common sense. Mr. Kuhn's position that having ~21% of the surface area of his main level in contact with organic material does not meet the commonly accepted definition of a 'cellar'. Having this fraction of the exterior surface area of this level abut mulch, rubble and dirt does not negate the obvious fact that the majority of the main living level is exposed to direct daylight and contains windows and exterior doors.

I have been unable to find another existing cellar in Los Angeles county that has 7' high exterior windows and a balcony with a corner that is 20' above ground level. It is only because county staff has erroneously accepted Mr. Kuhn's manipulative interpretation of grade and "cellar definition" that his design is even remotely feasible. In a further stretch of incredulity, Mr. Kuhn and his architect have even managed to come up with a level below their 'cellar' that is completely above ground level and is designed to be used as an office. When one adds up all these levels: office level, 'cellar' level, garage level and loft level it is obvious that this is a 62' high, 4 level structure attempting to disguise itself as a "modest 2 story home" through manipulation of county code. Mr. Kuhn's "modest" design will have two and a half times the surface area of my 1300 square foot single story home.

I am cognizant of the time and money that Mr. Kuhn has spent to date. The Canyon Crest Road parcel that Mr. Kuhn is attempting to build on is an unusual and difficult site. With an upper level slope of 100% on the east side, an even steeper slope on the west side and a protected blue line stream at the bottom, this has been assumed to be an unbuildable piece of land for over 100 years. While I acknowledge Mr. Kuhn's right to own this piece of property I vehemently dispute Mr. Kuhn's right to

build whatever he likes upon it. It is only through Mr. Kuhn's perseverance and creative manipulation of county code that his proposal has gotten this far. While the majority of Mr. Kuhn's 40,000 sq. ft. parcel is unsuitable for construction of any kind, this square footage figure has allowed him to manipulate county code to the maximum limits. Without this abundant, but unbuildable area, Mr. Kuhn's design would be constrained in both height and setbacks. His canyon-side property is not the equivalent of a typical flat lot and should not be treated as such.

I believe that undue favoritism has been shown Mr. Kuhn by several other Departments of the County with the intent of encouraging new construction over enforcing Altadena Community Standards and protecting the rights of existing neighbors. Too much latitude has been given in helping Mr. Kuhn get his design approved by the Department of Public Planning, the Department of Public Works, the County Biologist and the Department of Fire Department Forestry Division. Contrary to countering opinions by certified specialists in these areas, these departments have repeatedly allowed this project to proceed and encouraged Mr. Kuhn to spend additional money on a project design that should never have been allowed to get this far.

I strongly question whether the personal connection between Ms. Kulczycki's husband and the applicant's wife, Ms. Verma, has influenced Ms. Kulczycki's acceptance of the questionable reasoning by Mr. Kuhn; specifically, his definition of 'cellar'. Erik Kulczycki and Vandi Verma are both employed at the Jet Propulsion Laboratory in Robotics Section 347. Additionally, they are linked as friends on Facebook. When there is a family connection between a Planning Department Case Officer and an applicant the Case Officer should follow legal precedent and recuse themselves from direct involvement. The previous case officer, Troy Evangelho, had rejected Mr. Kuhn's proposal for being 4-levels, not 2. Ms. Kulczycki's email of July 9, 2015 acknowledges that the design is more than 2-stories and proposes consideration of a CUP process as a remedy. Within 9 days of assuming the case Ms. Kulczycki had approved Mr. Kuhn's 4-level design without requiring any changes to meet the 2-story requirement.

Five additional, specific examples of development favoritism by county departments to date are:

-Approving the applicant's circumvention of new hookup restrictions by Lincoln Avenue Water District by connecting an Altadena property to a City of Pasadena water supply.

-Approval by the Department of Public Works to allow the applicant and his contractor to utility trench Canyon Crest Road for water and sewer without maintaining state minimum traffic lane widths.

-Approval by the Department of Public Works to allow the applicant a lesser easement in regards to The Meadows sewer siphon system. The applicant has taken undue advantage of a 50-year-old error by past county staff that did not officially record the easement of this vital sewer connection through the property and reduce the easement from 20' to 10'.

-The erroneous granting of a construction encroachment by county staff into a designated, protected Oak Woodlands grove. These mature oak trees fall under the stated protections of both Los Angeles County and the State of California. Contrary to expert opinion, these legal protections are being circumvented to the detriment of both the trees and the surrounding neighborhood in favor of the development of a questionable project.

Our neighborhood group has met with Mr. Kuhn several times with the hope of reaching a compromise regarding the height of his design. Each time we have been told that this is his *Dream Home* and since

the design is under the 35' county code limit there is no legal requirement to modify the height. I believe this is a major failing of the current county code in that its 'once size fits all' approach has allowed a perseverant applicant to creatively interpret code wording that is specifically intended to restrict steep lot construction. If the Regional Planning Commission allows this project to proceed as designed it will be setting a county wide precedent for new hillside development by allowing stacked multi-level construction, simply by qualifying living levels that are partially below ground as 'cellars'.

Mitigation Proposals: If Mr. Kuhn's garage were a standard 14' height it would be more compatible with the single story homes in our neighborhood. A 14' garage height would also reduce the necessity of cutting major branches from the adjacent oak trees thus mitigating some of the severe impact they will be subjected to during construction. Reducing the garage height through elimination of the enclosed loft would also allow the continued enjoyment of my current view of Millard Canyon instead of the blank steel side of Mr. Kuhn's garage loft.

There is no reason Mr. Kuhn's roof design needs to encompass both garage, loft and main living area other than personal preference. By separating the garage from the main living area below, eliminating the excessive loft structure over the garage and building the main structure below road level Mr. Kuhn could meet many of the desires of the neighboring property owners and adhere to the current 2010 Altadena Community Hillside Development Standards.

I respectfully ask you, members of the Regional Planning Commission to reject the applicant's current design and require that a modified design be submitted that is compatible in height and volume with the existing homes of myself and my neighbors.

Sincerely,

Randall Baer
3588 Canyon Crest Road
Altadena, CA 91001

Addendum 1:
Dept. of Public Works Doc 2 of 3; Pgs. 58-60
RE: Unrecorded Meadows Sewer Siphon Easement

From:	Juan Sarda
Sent:	Tuesday, January 27, 2015 6:34 AM
To:	Kyle Chan
	Cc:Romano Sy; Massoud Esfahani; Henry Wong; Fabrizio Pachano; Matthew Dubiel
Subject:	FW: Project R2014-02411
Attachments:	CA Prelliminary Report CLTA Standard.pdf

Kyle,
Thanks for the follow up. I don't see why DPW can't request any necessary easement to ensure that any existing infrastructure has an adequate and legal way of being accessed for any future maintenance purposes. However, I would defer this question to our Mapping Unit for their comment and recommendation.
Thanks
Juan

From: Kyle Chan
Sent: Monday, January 26, 2015 4:23 PM
To: Juan Sarda
Subject: FW: Project R2014-02411
Juan, FYI. It looks like we might not have a recorded sewer easement there. Romano noted that item no. 9 in the title report (attached) does not specify the purpose of the easement, so we could ask the applicant to obtain a copy of that document to verify. If that isn't it, can we require the applicant to record a new easement document as part of this project?
Kyle Chan, MS, EIT
Land Development Division
(626) 458-4921

From: Kari Eskridge
Sent: Monday, January 26, 2015 4:13 PM
To: Kyle Chan
Cc: Massoud Esfahani
Subject: RE: Project R2014-02411
Sorry I thought I had responded. My staff did some research here and they don't have any recorded sewer easement. She also spoke with Mapping and Property Management and they don't have anything either.

A 10 foot wide easement would be acceptable, and should probably be put in place as part of this project since no documentation can be found.

Kari Eskridge, P.E.
Sewer Maintenance Division
Los Angeles County Public Works Department

P (626) 300-3390 F (626) 300-3365

Please consider the environment before printing this e-mail

From: Kyle Chan
Sent: Monday, January 26, 2015 4:09 PM
To: Kari Eskridge
Cc: Massoud Esfahani
Subject: RE: Project R2014-02411
Hi Kari,
Have you had a chance to look this over? One of the major questions raised is regarding the easement width. The applicant claims that the 20ft width is not binding without a recorded easement, and wants to only portray a 10ft width on the plan. Is 10ft acceptable for a siphon sewer easement? Thanks.
Kyle Chan, MS, EIT
Land Development Division
(626) 458-4921

From: Kyle Chan
Sent: Tuesday, January 20, 2015 10:29 AM
To: Kari Eskridge
Cc: Massoud Esfahani
Subject: FW: Project R2014-02411

Good Morning Kari,
We're checking a CUP for this project in Altadena, which has a siphon sewer running through the property. The applicant ran a title report (attached) that does not show any recorded sewer easements for this sewer line. Is this sewer maintained by CSMD, and if so, do you know where to find a recorded document for this easement? Let me know, thanks.
CUP 201400014
APN 5830-003-016
CSMD E-1906 MH 16-17
Kyle Chan, MS, EIT
Los Angeles County Department of Public Works
Land Development Division
(626) 458-4921

Addendum 2:
Department of Public Works PRR Documents 2 of 3; Pages 35-37
RE: Minimum Traffic Lane Widths

Yggy
From: Juan Sarda
Sent: Tuesday, June 02, 2015 1:29 PM
To: Yggy Ruiz
Cc: Daniel Quintana; Henry Wong; Matthew Dubiel
Subject: FW: 2015-03-24, CUP 2014-00014, R2014-02411, DPW COMMENTS
Hi Yggy,
This is a follow up to my voice message this morning regarding potential traffic issues with the implementation of sewer requirements for CUP 2014-00014. I received the request while on vacation. Today is my first day back.

Please see below for the details on the situation. Let me know if you need a PCA for the review of this project.

It will be great if we could provide preliminaries to the engineer by Thursday, June 4, 2015.
Thanks in advance for your attention to this matter.

JUAN M SARDA, P.E.
County of Los Angeles Department of Public Works
Land Development Division
Project Entitlement/CEQA Section
(626) 458-4919

From: Stephen Kuhn [mailto:kuhn.s.r@gmail.com]
Sent: Thursday, May 21, 2015 9:18 AM
To: Juan Sarda
Subject: Re: 2015-03-24, CUP 2014-00014, R2014-02411, DPW COMMENTS
Juan,
I am contacting you as the road POC for the project.

I have been working potential sewer issues with Massoud, my civil engineer, and a sewer construction contractor. We are on our second iteration (which I've attached as a mockup over the survey, my civil engineer is still re-doing the construction drawings). The sewer main is extended with the same offset in the road easement as the existing sewer line, following the (de- scoped) line of C.I 1978M (the design portrayed in that C.I., that was however never built).

I am assuming that we need to keep a lane of traffic open at all times, since this road is the only conduit to the Meadows neighborhood above. I know that I will need a traffic control plan, but I don't know the design spec for minimum lane width, or whether we're allowed to bias traffic onto
unpaved shoulders (that however do not leave the road easement).
Our construction contractor has claimed OSHA requires him to tape off 4ft past the edge of the

trench, which I've assumed to be 2ft wide. I've attached slides that bring out the potential concern both on the survey and in street-view images. On slide 2, I show that I am able to keep a 10ft single lane open that stays in the road easement, until I get to a power pole, which cuts the width to 8ft. I imagine we will have to make some special provision here, but I don't know what that might be. Maybe we could fudge the tapeoff by 1ft in this area and call it good enough?

If a traffic control permit is not attainable, Massoud says we could just use septic, but only if there was no way of making traffic control work.
Specific questions:

1. What is the minimum permitted width of single lane to remain open around construction? (AASHTO seems to indicate local roads can go as low as 9ft: http://safety.fhwa.dot.gov/geometric/pubs/mitigationstrategies/chapter3/3_lanewidth.cfm, so I assume the minimum would be equal to or lower than this).

The county's minimum width for travel lane in temporary situations is 11-ft. In cases where this needs to be lowered, we can go as low as 10-feet with conditions such as: install signages indicating that the lane is narrow, certain trucks are not allowed, etc. In my time here in TnL, I don't recall ever allowing a 9-foot thru lane.

2. Is it acceptable to have traffic biased slightly (couple feet at most) into an unpaved shoulder that remains in the road easement?

For prolonged closures (one week or more), we require the contractor to pave the unpaved portion of the shoulder. In this case, since it is a local/residential road, it depends on the length and width of the unpaved portion and again, the duration of the work.

3. There have been previous long-side utility hookups along this road. (Slide 6 is an example, from 2007). I would imagine these had to be done piecemeal so as to always keep a lane open? Or is there some other provision?

From a traffic standpoint, it is always desirable to maintain traffic flow. Closing off roads for construction purposes would require justification and obtain concurrence from affected residents. Looking at this case with the materials provided, it seems that maintaining one lane open can be attained.

4. What is the proper path for DPW to make an assessment as to whether the sewer construction is viable from a traffic management perspective? Do you have any comment about how to handle the power pole chokepoint?

The first half of the question is very general and unclear but I'll try to answer it anyway. If they are asking how to proceed with the construction of the sewer from a traffic point-of-view, they
can do one of four things:

1. FULL CLOSURE – this needs to be justified as the only possible method of construction. In addition, concurrence from the affected residents is required

2. HALF CLOSURE USING STOP CONTROL – using a stop control closure for one lane for both directions requires one important factor – sight distance between the two STOP signs must be present at all times
3. HALF CLOSURE USING TEMPORARY TRAFFIC SIGNAL –this method is employed when sight distance is not possible
4. HALF CLOSURE USING STOP CONTROL AND FLAGGERS – this method is effective but it extends the work duration. It basically requires the contractor to cover the excavated section with steel plates after working hours to allow traffic through the work area.

Regarding the power pole, they have to protect it in place and if that's not possible, talk to SCE (or whoever the owner of the power pole is) in relocating it.

Feel free to give me a call if that would be quicker. My number is 626-319-2778.
Thanks,

Stephen

On Tue, Mar 24, 2015 at 10:26 AM, Juan Sarda <JSARDA@dpw.lacounty.gov> wrote:
Hi Jeantine,
Attached is Public Works' comments memo for CUP 2014-00014.

The applicant shall work directly with each individual section/division within Public Works to clear the denial comments outlined in the attached memo prior to the re-submittal of a revised CUP package to Regional Planning. Contact information for each plan checker is provided under each respective comment.
Please, let me know if you have any questions.

JUAN M SARDA, P.E.
County of Los Angeles Department of Public Works
Land Development Division, Subdivision Mapping
Section, CUP/CEQA/B&T Planning Unit
(626)458-4921 (626)458-4949
Please click here to take our customer service survey

Addendum 3:
Kristina Kulczycki Involvement 8 Months Prior to Assignment

From: Kristina Kulczycki
To: Jeantine Nazar
Subject: R2014-02411
Date: Tuesday, October 07, 2014 11:23:00 AM

Hi Jeantine,
Can you please call Mr. Steven Kuhn at 626-319-2778? It is related to R2014-02411.
Thanks,
Kristina
Kristina Kulczycki
Zoning Permits East
213-974-6435

Addendum 4:
Kristina Kulczycki Email Proposing 3 Stories CUP

To: kuhn.s.r@gmail.com
Subject: FW: R2014-02411
Date: Thursday, July 09, 2015 9:36:15 AM

Good morning Mr. Kuhn,

Thank you for taking my call yesterday and helping to clarify a few of the aspects of the project. There are a few additional requested corrections which were discussed during our phone call that I will list below:

1. Please provide a copy of the Forester's clearance letter.
2. Update the Oak Tree Permit Burden of Proof to include the deck encroachment within the protected zone of Oak Tree #10
3. On the site plan, relocate the trash enclosure outside of the front and side yard setbacks.
4. Clarify the correct grading amounts on the revised plans and ensure that the numbers are consistent.
5. Please provide cross sections of the building.
6. Submit four full-sized sets of revised plans and a digital copy. The digital copy can be emailed if the file size is small enough.
7. Include the building square footage on the plans. Separate the square footage of the garage from the habitable space. It may be easiest to also include the loft area separately.

After speaking with you, I realized that we could also go a different route. If you are okay with considering the building to be three stories in height, you can go straight to a CUP to modify this development standard and I can start noticing the CUP and Oak Tree Permit for hearing before the MCU

Addendum 5:
Facebook Connection between Erik Kulczycki and Vandi Verma

Eric Kulczycki

Eric Kulczycki Add Friend

Timeline About Friends Photos More

Friends

All Friends Recently Added Work High School Following van

Results for: van

Saleem Van Groenou Add Friend

Vandi Verma
Altadena, California

Chrissy VanDyke Add Friend

Julie Vandermeulen
Northeastern Seattle, Washington

Los Angeles County Regional Planning Commission August 21, 2016

I, William Trousdale, and my wife Marion own our house on Canyon Crest Road across the street from Mr. Kuhn's proposed project. We are strongly against his building a house on the last open space on the lower Millard Canyon. Many residents, both from Altadena and The Meadows, have also expressed their reasons this proposed house on the lot owned by Mr. Kuhn should not be built.

During the 1960s and throughout the 1970s the residents of Altadena formed the present Town Council. One of the council's strongest charges have been the drawing of rules that those building new houses will adhere to those reasonable expectations. Some, but not all the Council charges are:

1. New houses must be no more than two floors.
2. The height of the house cannot exceed 35'.
3. New houses must set back from the street 20'.
4. New houses must reasonably blend with the neighborhood.

Mr. Kuhn has shown he will not follow any of the Altadena Council's rules while he is building this house and has been assured that he will be given all required permits.

1. The land declines at 50 degrees.
2. His house will contain four levels, not the two stories he claims.
3. The house is very far from blending in with the neighborhood houses.

But this is not all:

1. The Lincoln Avenue Water company has informed Mr. Kuhn that they cannot provide him water. Mr. Kuhn has obtained water service from Pasadena. But, for the water to reach Mr. Kuhn's property, a main will have to be dug under Canyon Crest Road from Florecita Drive. Canyon Crest is a very narrow road, with crumbling edges bordered with utility poles, large live oaks and other vegetation. I do not know the depth of the trench or how long the street will be closed to traffic.
2. The Meadows is a community of some 250 houses, built in the early 1960s. All the traffic from The Meadows uses Canyon Crest Road. No other access road exists. I see no way the hundreds of working people from The Meadows will be able to pass along Canyon Crest Road during the period of construction, not just for the water main but for the entire period the house is under construction.
3. The part of Canyon Crest Road where the work will be done is within the Severe Fire Area. So is The Meadows. Millard Canyon is full of tall dry grasses, bushes, small and large trees and old flowering cacti. There has to be a great chance of a fire, from sparks while putting on the steel sheets that cover the house, or an accidental cigarette dropped by a worker or passerby. The fire would race up the 50-degree canyon incline, reaching into the trees on Canyon Crest Road along with the loss of at least three

houses. I doubt that Mr. Kuhn would be able to have a fire engine close to his land and the houses and property during the period of the work.

During the last several weeks I have driven along streets on both the east and west of Lake Avenue. Both large and small houses are very carefully landscaped. All the land along the street is full of gorgeous flowering hedges and bushes. The house fronts have beds of flowering plants. Along the streets are tall trees that give deep shade and deep green and gray-green foliage. The live oaks traditionally take first place. But, there are many other trees, not only those native to California. They come from many parts of the world where they thrive. My wife and I have, on our small piece of land, two trees native to Australia. Across the street we have still the beautiful Millard Canyon. One can watch deer eating green foliage along the stream. We feel for them as much as we feel for our neighbors and their houses.

I wish Altadena could remain a proud, beautiful community. But, if the Altadena Council is unable to enforce its excellent laws governing sensible house building, who will protect these laws? If a house is built across Canyon Crest Road, as it is presently proposed, I will not be looking at a modest Gehry, but a painted dumpster.

Sincerely,

William Trousdale

William Trousdale
3566 Canyon Crest Road
Altadena, CA

Kristina Kulczycki

From: Laura Randall <lark215@gmail.com>
Sent: Monday, August 22, 2016 9:43 AM
To: Kristina Kulczycki
Cc: John Kimble; mitch@mitchtsailaw.com
Subject: Opposition letter regarding the plan to build at 3577 Canyon Crest, Altadena 91001

Kristina Kulczycki

L.A. County Department of Regional Planning

320 W. Temple Street

Los Angeles, CA 90012

RE: Project No. R2014-02411(5) / Minor CUP No. 201400014

Location: Assessor's Parcel No. 5830-003-016

Attn: Commissioners of the Los Angeles County Regional Planning Commission

As homeowners residing at 3665 Canyon Crest Road, we would like to reiterate our opposition to the project of new home construction in the vicinity of 3577 Canyon Crest Road, Altadena, 91001.

After reviewing the findings and details released since we registered our first letter of opposition in August 2015, we find this project to be even more questionable and harmful to the immediate and extended community of Canyon Crest and the Meadows than first suspected.

We have outlined below our main concerns/issues with the proposal to turn this real estate into a potential housing site:

1. Allowing a four-level residence to be built in Altadena is directly **in contrast** to the wording and intent of the Altadena Community Standards District Hillside Ordinance restricting residences to two stories. This point is all the more notable in light of the community protests lodged over the numerous code violations in the construction of the Aldi grocery building on Lake Avenue.

2. The County Planning Department has been negligent in granting an encroachment into the root zone of a designated Oak Woodlands, contrary to the wording and intent of state and county ordinances protecting these oaks.

3. Finally, by allowing an individual property owner to restrict access on Canyon Crest Road for the purpose of obtaining water and septic from the city of Pasadena creates a danger to the hundreds of residents who rely on Canyon Crest for access to our homes and for emergency protective services, with no alternative entry and exit point. As we were all reminded during the Station Fire of 2009, the amount of housing that exists in that neighborhood with only one road in and out is baffling by modern emergency planning standards. Adding another house along this pinch point -- one located on a blind curve of all places -- is a short-sighted and extremely dangerous idea.

Thank you for your attention and thoughtful review of this matter.

Regards,

Laura Randall/John Kimble

3665 Canyon Crest Rd

(H) 626-798-8382

August 21, 2016

Dear Planner Kulczycki-

I continue to have concerns about the approval of the project at the 3500 block on Canyon Crest Road in Altadena, case 2014-00014.

I maintain my stance that the proposed structure is not compliant with the Altadena Community Standards intent and purpose. The structure is not compatible in size/scale nor characteristics of the surrounding residences, looming 25' above the adjacent existing structure.

I still believe the impact on the existing protected Coast Live Oaks will be far greater than described in the reports, especially in this time when most natural vegetation is already drought stressed. The unnecessary height of the loft above the garage portion of this proposed structure is going to eliminate more tree canopy than described.

If the house design were to be revised to eliminate anything above the height of the garage, these two issues would be lessened. But as is, the peak structure only works for the Architect's and his Clients' egos.

My last concern, cannot be helped by the decreased height of the structure, and that is the impact of the flow of traffic to and from the Meadows (the neighborhood of around 250 homes uphill of the subject property) and other houses outside of the Meadows. Canyon Crest Road is the only way in and out of the neighborhood, which is in a very high fire risk zone. The citizens who reside in this area will be far more greatly impacted by the construction that anyone seems to be able to admit, and I don't think the neighbors have been made sufficiently aware of it.

The Developers have admitted to some temporary closures due to trenching for utilities, but the concession of staging everything else on

the small – and only - flat pad on the property in the canopy and root zone of protected Coast Live Oaks is totally unrealistic. There is about enough room for portable toilets there.

It's not just the trucks, the crane with outriggers, the concrete rigs, having no place to park or do the work they're there to do, there is the issue of trucks having to turnaround, obstructing traffic to do so. There is the issue of parking for workers, vendors, engineers, architects, inspectors, etc., This can and should be done on Florecita Drive, a short distance from the property. Canyon Crest Road is very narrow with a blind curve just before the subject property with very little room to park the amount of cars that will be driven to the site daily.

I do not believe the construction staging, parking and traffic has been fully thought through and would like to see further study on the subject and a better effort to inform those who will be impacted. Some may be aware that a house has been proposed but they probably aren't thinking of how that affects them directly. Emergency vehicles have to make their way up to the neighborhood frequently and I feel the Residents' safety will be in jeopardy.

As work gets in the way of being at the Public Hearing I hope this letter will speak for me and my husband and any neighbors who don't know enough to be concerned.

Thank you,

Kara Bjornlie
4470 Rising Hill Rd.
Altadena, CA 91001

Via email – kkulczycki@planning.lacounty.gov

August 19. 2016

Los Angeles County
Department of Regional Planning
Attn: Kristina Kulczycki
320 West Temple Street
Los Angeles, CA 90012

Project no: R2014-02411-(5), ROAK 201400035 and RMCP 2014000014

Dear Commissioners,

My name in Andre' Barnwell, I reside at 3556 Canyon Crest Road. I've been a resident at this location for the last 17 years and have actively participated in this project proposal since it was first brought to my attention by concerned neighbors. I stand in opposition to granting approval to this project because it continues to violate the Altadena Community Standards District Hillside Ordinance restricting residences to 2-stories. All homes to date on Canyon Crest have adhered to this requirement. This is one of the ways Altadena has tried to preserve the delicate balance between man's need to dwell and the natural environment around us.

If you have the opportunity, please drive on our street and you can see both the individuality of our homes as well as a blending in that are domiciles project. What you don't see is 4 story buildings and that not by accident but by design to ensure this balance. The overwhelming amount of Oak Trees in our area, myself having 6 of these magnificent natural monuments. Raking their leaves is a task but I don't my doing it. The current drought is putting a lot of pressure on our Oak trees and I'm very concerned about further disruption.

We all share a very limited road with very little roam for closures, it is the only option for our movement as well as the community above us "The Meadows". The type of machinery needed and the duration of this disruption to create such a large dwelling 3 to 4 stories also doesn't give me much comfort.

When in a time where it seams that everything precious is being compromised, a community should have a right to enforce to our newer members the same standards we have set for ourselves. One being number of stories where you see one and two story dwellings as the norm. This allows for the least amount of incursions not only because we are on the side of a hill but gives better options not to effect or destroy our beloved oak trees and nature in general.

The solution is reasonable and not a restriction directly used only in this case, be creative as you like being sensitive to any destruction of Oak trees knowing your imprint should be 1 or 2 stories in scope.

Thank you for your consideration in this matter.

Sincerely,

Andre' Barnwell

Kristina Kulczycki

From: Stephen Kuhn <kuhn.s.r@gmail.com>
Sent: Thursday, August 11, 2016 8:36 AM
To: Kristina Kulczycki
Subject: Consistently dated plans for R2014-02411

Kristina,

As requested, the set of plans at the following address is dated consistently: https://secure-web.cisco.com/1e-z9AbCiiw9c8GJTZjsSRkOTBt8PqI9ZtzaXkKGmIqLPJFBuYP7WPR-lORqjQS-r-B_rc0z8QAfrJsehTTnEbMFlTPvJTULz37gFmuN0YRffrCil-WuaQ4ulCTBIwOfKrCdnLZ9XG0eVErTeThiQXmZb7cuuGB7AyoMmbiq3dYM_RI3h34mFs2OxuFRbWiumDmuNhCB0PZ01j_-V13AAE3MxEz31pmWG1yHxFHxdP-AOG-B4wY9mWdMBbM8DpurZ/https%3A%2F%2Fdl.dropboxusercontent.com%2Fu%2F1354273%2Fr2014-02411_plans_20160425.pdf

In March, we had provided an updated cover sheet at your request that addressed a minor typo in which the maximum height above grade was listed as one foot lower than that portrayed on our elevations, which were correct.

We had also provided minor updates to our floor plans to reflect the rework of our entryway to reduce the extent of concrete in the vicinity of oak tree #7, at the expense of some garage area. This change did not affect the square footage of the home or any other zoning parameter.

We had not resubmitted drawings that were largely unaffected by these minor changes. As we mentioned at our last hearing, minor changes to these drawings or to drawing notes - that do not affect the zoning parameters - are an expected part of the DPW plan check process, in which we are currently engaged in parallel, and which would normally take place after DRP permit approvals. Since some of this was exposed in r2014-02411_plans.pdf, we have provided an internally consistent set as they existed shortly after our first hearing, intended for this zoning process. Mostly, these attempt to address some misunderstandings neighbors exhibited in their testimony and when we met with them on site on April 15 of this year, after our first hearing.

At our hearing, A0, A2 and A2.1 were reviewed in r2014-02411_plans.pdf. The following is a summary of the changes to the annotations of the plans compared to those. Again, these do not modify any aspect of our design that relates to this hearing process.

- A2 more clearly distinguishes the garage door header. When we spoke with them, some neighbors were unaware that our garage depth had been reduced to the minimum able to accommodate an 18.5ft full-size parking space.
- The moving of our service panel in A2 is an unrelated DPW plan check requirement.

At our hearing, A1, A5 and A5.1 were reviewed in r2014-02411_org-plans.pdf. The review requests of several DRP planners, in addition to the DPW, have resulted in slightly different annotations over the iterations of our plans, compared to those we originally submitted dated March 2014. A more recent version of A4 that incorporated requested details and reduced the height of the NW and SE corners had been provided by email first to the DRP under a previous planner in March of 2015 and again to the DRP and to the neighbor to whom the Canyon Crest Conservancy is registered, in July of 2015.

The following is a summary of the changes to the annotations of the plans compared to those, and to the A4 provided in July of 2015. Again, these do not modify any aspect of our design that relates to this hearing process.

- The entryway adjustment was reflected at the edge of one of the sections in A5, as it had been in A2 of r2014_02411_plans.pdf. Despite describing this change at a town council meeting and in some inline responses to opposition letters, some neighbors remained unaware that we no longer had any concrete work outside the footprint of our home.
- The entryway adjustment was portrayed in the North elevation of A4.
- The small lowest window on the East elevation of A4 was removed, as it had been in A2 of r2014_02411_plans.pdf.
- A crawlspace access door on the South elevation of A4 is an unrelated DPW plan check requirement.
- The annotation of a built in workbench in the loft was removed from A5 and A5.1. Per DPW guidelines, this is not livable space. We had attempted to clarify this in our inline responses to neighbor letters. However, some neighbors remained unaware of this when we spoke to them.
- Annotations for fire ratings, insulation values and some dimensions in A5 are unrelated DPW plan check requirements.

Regards,

Stephen

Kristina Kulczycki

From: Noam Maitless [maitless@me.com]
Sent: Wednesday, April 20, 2016 10:23 PM
To: Kristina Kulczycki
Subject: Support for Kuhn Home - Project No R2014-02411-(5)

Dear Ms Kulczycki ;

My wife Anna and I are writing to you today in support of the Stephen and Vandana Kuhn's effort to build their new home on Canyon Crest Road in Altadena. Although we are not residents of Altadena, we feel strongly about appropriate hillside development as well as good design. We believe the Kuhn's home is successful on both fronts. It respects its site. It is an innovative (but not radical) design. It will be an asset to its neighborhood. In addition we feel that the Kuhn's have played by the rules and have proven their dedication to their new home and to the city's planning process. We encourage you to uphold the City's approval in the face of any appeal.

Yours Sincerely,

Dr. Anna Moore, Astronomer
Noam Maitless, AIA LEED AP BD+C, Architect

Kristina Kulczycki

From: alex fabbro [alexfabbro@yahoo.com]
Sent: Tuesday, April 19, 2016 11:44 AM
To: Kristina Kulczycki
Subject: Re: 3577 Canyon Crest / R2014-02411-(5) - Comments for 19 Apr 2016 Hearing

Dear Ms. Kulczycki,

Apologies for not being able to attend to state my brief comments during the hearing today. Neighbors of the project proponent, of whom I am one, did not receive the proponent's arborist's response to the independent arborist's report until late yesterday evening. Those responses were particularly alarming, as it appeared that the project proponent was basing many of his statements on a report from 2014 that was not updated to account for the numerous changes the proponent had made to the design of the project.

After visiting the site and speaking with the proponent on 4/16/2016, I am convinced that the project as currently submitted remains deficient in several regards, including the oak wildland analysis, the water flow analysis, and the traffic/materiel-staging analysis. The excessive structure height, approximately 31' at the peak, interferes with the oak tree canopy and presents a stark facade that is not in keeping with the built environment of this heavily wooded area.

The project proponent indicated a willingness to consider reducing the peak height, but seemed to do so only reluctantly. I understand that no one likes to have their baby called ugly, but exterior appearance aside, there seem to be sufficient analysis deficiencies and plan changes that allowing the proponent to build at this point is premature.

Thank you,
Alexandria Fabbro

From: Kristina Kulczycki <kkulczycki@planning.lacounty.gov>
To: alex fabbro <alexfabbro@yahoo.com>
Sent: Wednesday, March 16, 2016 6:41 AM
Subject: RE: 3577 Canyon Crest / R2014-02411-(5)

Thank you for your comments. They will be included in the hearing package that is available two weeks prior to the hearing.

Regards,

Kristina

Kristina Kulczycki
Senior Regional Planning Assistant
Zoning Permits North
Department of Regional Planning
http://planning.lacounty.gov
213-974-6443

From: alex fabbro [mailto:alexfabbro@yahoo.com]
Sent: Tuesday, March 15, 2016 5:07 PM
To: Alex Fabbro
Subject: 3577 Canyon Crest / R2014-02411-(5)

Dear Councilmembers and Planners,

I am writing to let you know that I have serious reservations about the development of the property known as 3577 Canyon Crest in Altadena. While I can appreciate the property owners' excitement at the potential realization of their new home, the design and construction plan as shown on their informational website appears problematic and triggers many concerns about short-term execution and long-term adverse impacts.

I live in The Meadows and I pass the property several times a day, either in my car or on my bike. I am actually quite surprised that the engineering required to build on that lot didn't put the owners off. The slope is astoundingly steep and there is practically no platform wider than a passenger car at road grade. Any decision-maker who has not visited the lot in person is doing themselves and the community a disservice by either recommending or not recommending this project. A site visit is critical so one can determine the challenges and drawbacks to this project as submitted.

My primary concerns that I do not feel are addressed adequately or truthfully on the project website are:

1. Sufficient staging for construction materials and equipment.

2. Disruption of vehicle flow on the only road in/out of The Meadows.

3. Destruction of oak trees.

4. Impact on the creekbed and water flow.

5. Impact on wildlife habitat disruption/destruction.

6. Destruction of viewshed.

7. Fortress-like solid 30'+ wall above grade that is not architecturally compatible with existing homes.

Again, I urge you to visit the property to see for yourselves how problematic this property is for the submitted design. Compliance with the letter of the law while ignoring the intent of the law does not make a sound project or preserve the character of the neighborhood.

Respectfully submitted,
Alexandria Fabbro

August 22, 2016

Kristina Kulczycki
L.A. County Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: Project No. R2014-02411(5)/Minor CUP No. 201400014
Attn: Commissioners of the L.A. County Regional Planning Commission:

My husband and I raised our family of four girls in a beautiful redwood, mid-century house overlooking a deep, wooded canyon at 3588 Canyon Crest Road in Altadena. The large picture windows had expansive vistas of the Linda Vista hills across the canyon. We enjoyed wildlife and an ambiance of simple rustic charm accessed by a very windy narrow road with no through traffic.

I've since moved to South Pasadena, but keep in contact with my old neighborhood community. I hear a single family house project has been approved for construction just across from my old house. The proposed four story structure would be built on a tiny piece of real estate on the edge of the canyon surrounded by mostly one story homes and very few two story ones. It's hard to believe this structure passed the permitting process given the following issues:

Canyon Crest Road itself is very narrow and windy with no through access. Given the limited flat area at the project site, access and parking would be a concern.

From what I understand, *The Altadena Community Standards District Hillside Ordinance* does not allow four level residences in this area. A four level residence would not only block views but it would also be totally out of character for this neighborhood.

California Live Oaks are protected by state and county ordinances. Given the size constraints of this piece of real estate it is likely that the existing oak trees would be affected by any construction and possibly even removed.

Canyon Crest Road is the only entry and exit road to the "Meadows" housing development. There are no alternative entry or exit points and creates a very dangerous situation in both minor and major emergencies such as the 2009 Station Fire. The proposed house adds another burden on the existing water and septic systems as well as on the already strained emergency protective services. It is also located just beyond a blind curve on an already narrow and windy road.

Other site concerns are the culvert that runs from my former residence, under Canyon Crest Road and exits close to, or on, the property in question. Over the years, I also witnessed loads of fill being dumped over the edge of the canyon – also adjacent to, or on, the property of concern. This brings the stability of the site into question.

While I appreciate that our family was able to enjoy the canyon for many years and would like others to be able to do the same, I see this project as a very unwise and short sighted for both the neighborhood and the owners. It is not only dangerous but it will also permanently affect the character that so far, has been retained by the hard work and dedication of the past and present "canyon" neighborhood property owners.

I hope you will reconsider. Thanks for your attention.

Haru Kuromiya (former property owner of 3588 Canyon Crest Road, Altadena, CA)
1000 El Centro
South Pasadena, CA

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

REGIONAL PLANNING COMMISSION
APPEAL FORM

DATE: May 2, 2016

MAY 02 2016
BOARD OF SUPERVISORS
STAFF

TO: Ms. Rosie Ruiz
Regional Planning Commission Secretary
Department of Regional Planning
County of Los Angeles
320 W. Temple Avenue, Room 1350
Los Angeles, California 90012

Hartman
M. Glaser
R. Glaser
K. Kulczycki
J. Nuckton

FROM: Canyon Crest Conservancy
Name

SUBJECT:

Project Number(s): R2014 - 02411 - (5)

Case Number(s): MCUP Case No. 201400014, OTP Case No. 201400035, EA Case No. 201400194

Case Planner: Kristina Kulczycki

Address: Canyon Crest Road

Assessors Parcel Number: 5830 - 003 - 016

Zoned District: Altadena Zone District

Entitlement Requested:

Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, Environmental Assessment No. 201400194

Related Zoning Matters:

Tentative Tract/Parcel Map No.	
CUP, VAR or Oak Tree No.	
Change of Zone Case No.	
Other	

(Reverse)

I am appealing the decision of (check one and fill in the underlying information):

☐ **Director** ☑ **Hearing Officer**

Decision Date: _____ Public Hearing Date: April 19, 2016

Hearing Officer's Name: Alex Garcia

Agenda Item Number: 5

The following decision is being appealed (check all that apply):

☐ The Denial of this request

☑ The Approval of this request

☐ The following conditions of approval:

_____

List conditions here

The reason for this appeal is as follows:

See Attached.

Are you the applicant for the subject case(s) (check one)? ☐ YES ☑ NO

Submitted herewith is a check or money order for the amount due, as indicated on the Fee Schedule on the Los Angeles County Department of Regional Planning's website.

_____ Randall Baer on behalf of Canyon Crest Conservancy

Appellant (Signature) Print Name

3588 Canyon Crest Road, Altadena, California 91001

Address

(626) 381 - 9248 (Mitchell M. Tsai, Attorney At Law) mitch@mitchtsailaw.com

Day Time Telephone No.

*Fee subject to change.

REASONS FOR APPEAL

Canyon Crest Conservancy ("CCC") appeals County of Los Angeles ("County" or "Co.") Department of Regional Planning Hearing Officer Alex Garcia's April 19, 2016 decision to approve Agenda Item No. 5, Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, and Environmental Assessment Case No. 201400194 ("Project"), *in its entirety*.

CCC appeals this Project because it believes that the Project does not conform with 1) County land use regulations including but not limited to the Altadena Community Standards District, Co. Code § 22.44.127, 2) County ordinances and planning requirements including the County Oak Tree Ordinance, Co. Code § 22.56.2050 *et seq*, County Oak Woodlands Conservation Management Plan, and County Significant Ecological Areas Ordinance, Co. Code § 22.56.215, 3) State law including but not limited to the California Environmental Quality Act, Cal. Public Resources Code §§ 21000, *et seq*, as well as 4) any other issues raised during the pendency of this Matter.

Payment Receipt

Receipt #: TRC-002845-02-05-2016
Paid On: 05 02 2016

Paid By:

Mitchell M. Tsai Attorney At Law
Mitchell Tsai
61223 P.O. Box
Pasadena, CA 91116

Project Number - Case Number Fee Name	Payment Method	Reference No.	Paid Amount
R2014-02411 - RMCP-201400014 Appeal - RPC - Non-Applicant	Check	136	$755.00
		Total	$755.00

Department of Regional Planning
Richard J. Bruckner, *Director*

320 W. Temple Street
Los Angeles, CA 90012

(213) 974-6411

http://planning.lacounty.gov

Received By:
William Chen

Printed On:
5/2/2016

PART II – CONSENT ITEMS FOR APPROVAL (Cont.)

Land Divisions

Time Extensions

b. This Time Extension action is categorically exempt pursuant to Class 5 Minor Alterations in Land Use Limitations of the CEQA guidelines.

Time extension request is from March 7, 2016 to March 7, 2017.

4. Project No. 99213-(4) (Mr. Szalay)
Applicant: Jyotsna Jain
31516 Cherry Drive
Castaic Canyon Zoned District

a. Tentative Parcel Map No. 25852
To create four residential parcels over 1.15 acres in the R-1-5,000 (Single Family Residence - 5,000 Square Feet Minimum Required Lot Area) zone.

b. This Time Extension action is categorically exempt pursuant to Class 5 Minor Alterations in Land Use Limitations of the CEQA guidelines.

Time extension request is from March 5, 2016 to March 5, 2017.

PART III - PUBLIC HEARINGS

Zoning Permits

(Continued from 04/05/16)

5. Project No. R2014-02411-(5) (Ms. Kulczycki)
Applicant: Stephen Kuhn
Canyon Crest Road (Assessor's Parcel No. 5830-003-016)
Altadena Zoned District

a. Minor Conditional Use Permit No. 201400014
To authorize the construction of a single-family residence on a hillside property in the Altadena Community Standards District and the R-1-10,000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area) zone.

b. Oak Tree Permit No. 201400035
To authorize one oak tree removal and encroachments into the protected zone of nine other oak trees.

c. Environmental Assessment No. 201400194
To consider a Negative Declaration, as the project will not have a significant effect on the environment, pursuant to CEQA requirements.

HEARING OFFICER AGENDA

PART III - PUBLIC HEARINGS (Cont.)

Zoning Permits

6. Project No. R2015-01986-(5) (Ms. Kulczycki)
Conditional Use Permit No. 201500078
Applicant: American Tower LLC
12801 Tampa Avenue, Chatsworth
Newhall Zoned District

To authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility in the A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) zone. This project is categorically exempt Class 1 - Existing Facilities pursuant to CEQA reporting requirements.

7. Oak Tree Permit No. RPPL2015000333-(5) (Ms. Hua)
Applicant: Eric & Donna Gierst
15225 Calle Los Hidalgos
Bouquet Canyon Zoned District

To authorize the encroachment into the protected zone of eleven oak trees for the development of a single-family residence and associated driveway in the R-1 (Single-Family Residence) zone. This project is categorically exempt Class 4 - Minor Land Alterations pursuant to CEQA reporting requirements.

8. Project No. R2015-02303-(5) (Ms. Hua)
Applicant: SBA Towers
Vacant, Southeast corner of Smokey Bear Road and Pyramid Lake Road
Castaic Canyon Zoned District

a. Conditional Use Permit No. 201500092
To authorize the construction, operation, and maintenance of a new unmanned wireless telecommunication facility in the C-RU (Rural Commercial) zone.

b. Oak Tree Permit No. 201500019
To authorize the removal of one oak tree and encroachment into the protected zone of six oak trees in conjunction with the construction of a proposed wireless telecommunication facility.

c. Environmental Assessment No. 201500157
To consider a Mitigated Negative Declaration with impacts to Biological Resources and Cultural Resources reduced to less than significant with mitigation measures pursuant to CEQA reporting requirements.

HEARING OFFICER AGENDA

PART III - PUBLIC HEARINGS (Cont.)

Zoning Permits

9. Project No. R2015-02280-(3) (Mr. Mirza-Avakyan)
Conditional Use Permit No. 201500090
Applicant: T-Mobile West LLC
24255 Pacific Coast Highway
Malibu Zoned District

To authorize the construction, operation, and maintenance of an unmanned wireless telecommunications facility in the A-1-1-DP (Light Agricultural – One Acre Minimum Required Lot Area – Development Program) zone. This project is categorically exempt Class 3 – New Construction or Conversion of Small Structures pursuant to CEQA reporting requirements.

10. Project No. R2014-02172-(1) (Mr. Smith)
Conditional Use Permit No. 201400096
Applicant: Verizon Wireless
2121 Nadeau Street
Roosevelt Zoned District

To authorize the construction, operation and maintenance of an unmanned wireless telecommunication facility in the M-2 (Heavy Manufacturing) zone. This project is categorical exempt Class 3 – New Construction or Conversion of Small Structures pursuant to CEQA reporting requirements.

11. Community Standards District (Mr. Nadela)
Modification No. RPPL2016000816-(5)
Applicant: Craig Stoddard
3861 East California Boulevard
East Pasadena Zoned District

To authorize the modification of the standards of the East Pasadena-San Gabriel Community Standards District to allow the demolition of an existing one-story 2,051 square foot residence and build a new two-story 4,977 square foot residence with a three-car garage within the required front yard in the R-1-20,000 (Single Family Residence – 20,000 Square Feet Minimum Required Lot Area) zone. This project is categorically exempt Class 3 – New Construction or Conversion of Small Structures pursuant to CEQA reporting requirements.

HEARING OFFICER AGENDA

PART IV - PUBLIC COMMENT

12. Public comment pursuant to Section 54954.3 of the Government Code

PART V - ADJOURNMENT

ADJOURNMENT TO 9:00 A.M. MAY 3, 2016

GLOSSARY OF ENVIRONMENTAL TERMS:
CEQA – California Environmental Quality Act
SEA - Significant Ecological Area
EIR – Environmental Impact Report
MND – Mitigated Negative Declaration
ND – Negative Declaration
CE – Categorical Exemption

TIME LIMITS: The Hearing Officer has established time limits with respect to receipt of testimony regarding matters on this Agenda. Applicants will be allowed fifteen (15) minutes to present testimony in support of their application, with an additional ten (10) minutes for responses to issues raised by other witnesses. Other proponents and opponents will be limited to three (3) minutes per speaker. Responses to questions from the Hearing Officer will not be included in these time limitations. All speakers are urged to refrain from repeating testimony presented by others. The Hearing Officer may impose different time limits, depending upon the length of the agenda, the number of speakers wishing to give testimony and/or the complexity of an agenda item.

TIME LIMITS FOR APPEAL ITEMS: Appellant and applicant shall be provided equal time to present evidence. The Hearing Officer shall determine the time limit based on the complexity of the case and the length of the agenda. Time will also be allocated to the appellant for rebuttal.

WRITTEN TESTIMONY: Written testimony that is received prior to the public hearing will be made a part of the record and need not be read into the record.

PUBLIC HEARING CLOSING AND RE-OPENING: Public hearings that are closed during the course of the meeting may be re-opened by the Hearing Officer without notice at any time prior to adjournment of the meeting.

LOBBYIST REGISTRATION: Any person who seeks support or endorsement from the Hearing Officer on any official action may be subject to the provisions of Ordinance No. 93-0031, relating to lobbyists. Violation of the lobbyist ordinance may result in a fine and other penalties. FOR INFORMATION, CALL (213) 974-1093.

MEETING MATERIALS: The agenda package is available at the Department of Regional Planning ("Department"), 320 West Temple Street, 13th Floor, Los Angeles, California 90012, and may be accessible on the Department's website at http://planning.lacounty.gov. Any meeting-related writings or documents provided to the Hearing Officer after distribution of the agenda package, unless exempt from disclosure pursuant to California law, are available at the Department and are also available in the hearing room on the day of the Hearing Officer meeting regarding that matter.

LIVE WEB STREAMING: The Department of Regional Planning broadcasts all regularly scheduled Hearing Officer Meetings on its website at http://planning.lacounty.gov.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

April 19, 2016

Richard J. Bruckner
Director

Stephen Kuhn
4381 Canyon Crest Road
Altadena, CA 91001

REGARDING: **PROJECT NO. R2014-02411-(5)**
MINOR CONDITIONAL USE PERMIT NO. 201400014 AND OAK TREE PERMIT NO. 201400035
VACANT SITE ON CANYON CREST RD., ALTADENA (APN 5830-003-016)

Hearing Officer Alex Garcia, by his action of **April 19, 2016,** has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **May 3, 2016. Appeals must be delivered in person.**

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

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

For questions or for additional information, please contact Kristina Kulczycki of the Zoning Permits North Section at (213) 974-6443, or by email at kkulczycki@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Maria Masis, Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Determination (1 original, 1 copy)
c: DPW (Building and Safety); Zoning Enforcement
MM:KK

CC 060417

FINDINGS OF THE HEARING OFFICER
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") Hearing Officer conducted duly-noticed public hearings on April 5, 2016 and April 19, 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 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 Hearing Officer'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 Hearing Officer'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. The Hearing Officer 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.

20. The Hearing Officer 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.

21. 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 Hearing Officer finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

22. The Hearing Officer 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.

23. The Hearing Officer 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.

24. 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 Hearing Officer 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.

25. 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 Hearing Officer 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.

26. 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 Hearing Officer finds that the site is adequately served by other public or private service facilities as are required.

27. The Hearing Officer 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.

28. The Hearing Officer 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.

29. 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 Hearing Officer 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.

30. 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 Hearing Officer 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.

31. The Hearing Officer 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 February 17, 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 five notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

32. The Hearing Officer 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.

33. After consideration of the Negative Declaration, together with the comments received during the public review process, the Hearing Officer 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 Hearing Officer.

34. 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, 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 HEARING OFFICER 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.

Regarding the Oak Tree Permit:

H. 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.

I. 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.

J. 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.

K. 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 HEARING OFFICER:

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 Hearing Officer as to the environmental consequences of the Project; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and

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

ACTION DATE: April 19, 2016

MM:KK
4/19/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

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 your appeal period ends **April 26, 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 **June 5, 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 oak trees should be reviewed by a licensed and certified arborist for detrimental changes in health or structure once every six months for three years. A brief summary report containing photo documentation should be prepared by the arborist following the site visit and shall be submitted to the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") within 10 days after each visit. The summary reports shall be made available to Regional Planning staff by request. Additional summary reports may be required at the discretion of the Department of Regional Planning or the County Forester.

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.

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

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

GAIL FARBER, Director

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/ldd/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

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- 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.

Reviewed by: Wally Collins Date: February 3, 2015

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

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

JI:jl

Enclosure

OAK TREES:
Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES : DEEP GREEN, 3"-4" LONG : PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS : FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE and URBAN DEVELOPMENT.

Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES : GLOSSY GREEN, 1"-3" LONG : SPINY, ROUNDED, AND HOLLY-LIKE : BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak
QUERCUS WISLIZENii

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES : DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS :
CALIFORNIA BLACK OAK : QUERCUS KELLOGGI
CANYON LIVE OAK : QUERCUS CHRYSOLEPIS
ENGELMANN OAK : QUERCUS ENGELMANNii

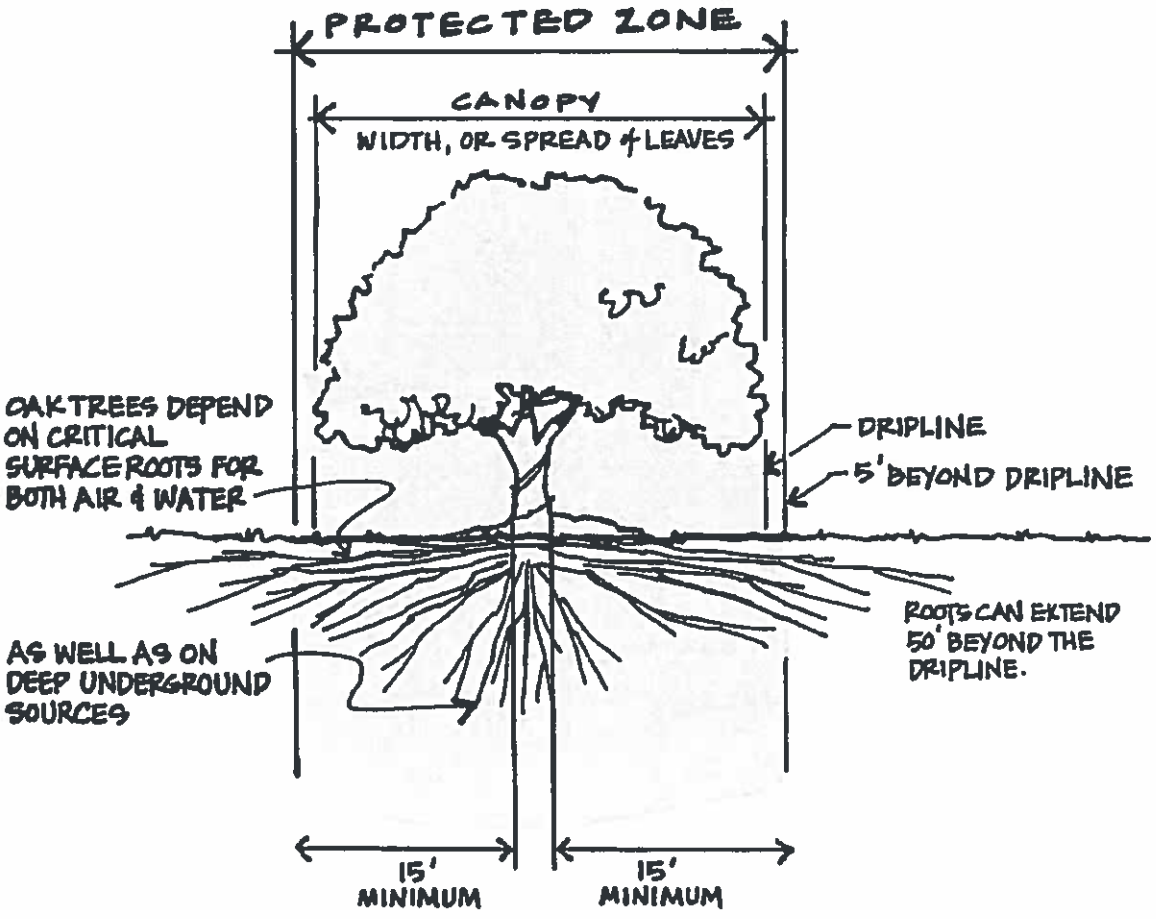
THE PROTECTED ZONE

The *protected zone* defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

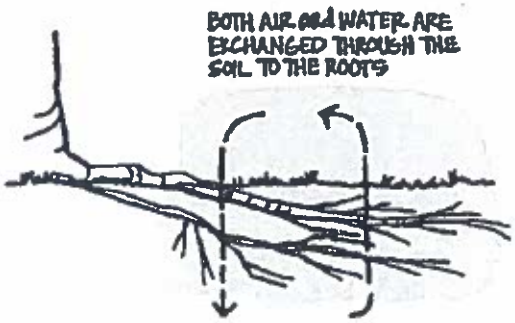
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

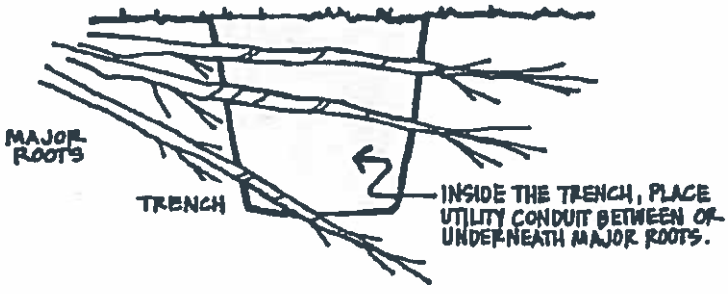
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – do not over water. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

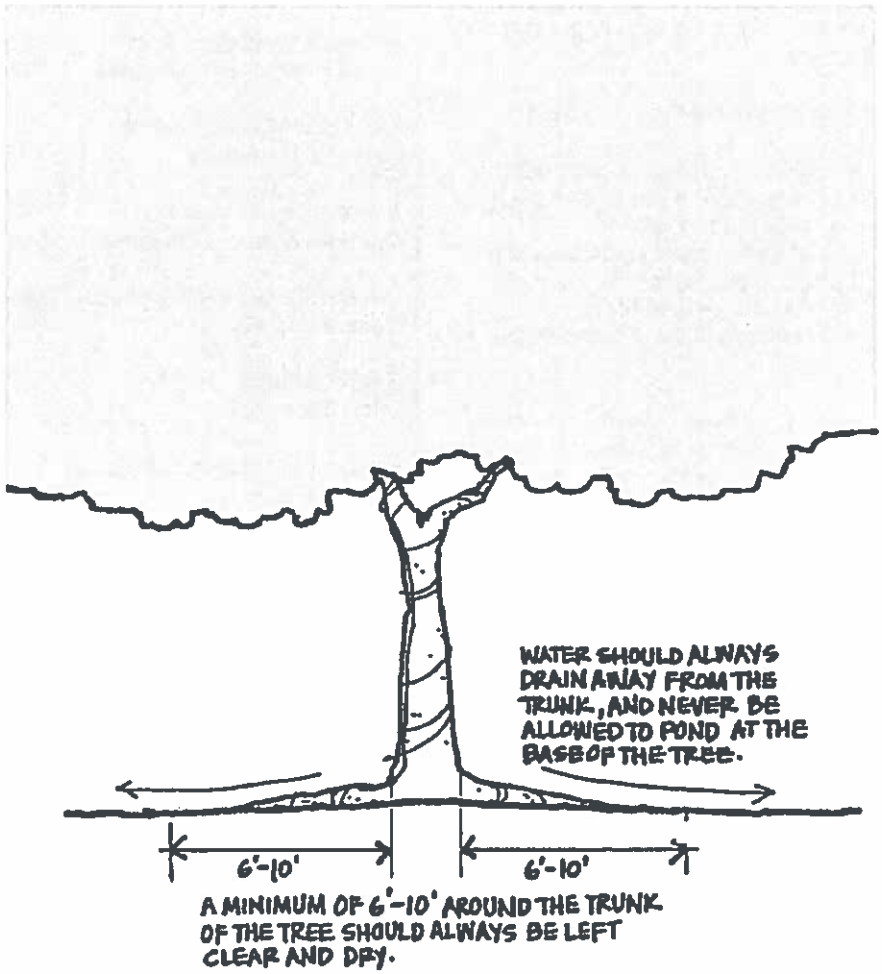
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

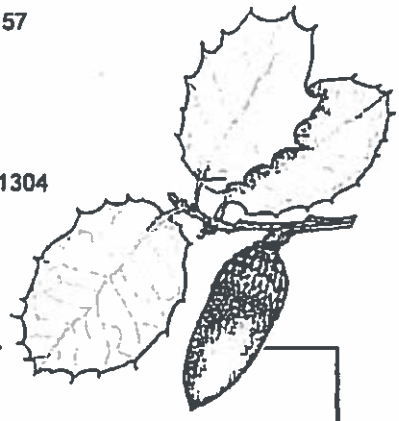
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

P: (626) 381-9248
F: (626) 389-5414
E: mitch@mitchtsailaw.com

Mitchell M. Tsai
Attorney At Law

1055 E. Colorado Boulevard
Suite 500
Pasadena, California 91106

VIA ELECTRONIC & U.S. MAIL

April 18, 2016

Kristina Kulczycki
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING (DRP)
320 West Temple Street
Los Angeles, California 90012
Em: kkulczycki@planning.lacounty.gov

RE: Canyon Crest Conservancy Comment Letter Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014.

Dear Ms. Kulczycki,

On behalf of Canyon Crest Conservancy ("**Conservancy**" or "**CCC**"), my Office is providing comments to the County of Los Angeles ("**County**") regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014 ("**Project**"). These comments are intended to supplement comments already provided to the County on March 23, April 5, 2016, and April 11, 2016.

CCC is a California nonprofit public benefit corporation dedicated to 1) protecting open space, 2) ensuring that natural preservation areas are protected and enhanced 3) ensuring a high quality of life in the Canyon Crest area by remaining consistent with its natural character, and 4) carrying on other charitable and educational activities associated with this goal as allowed by law.

On April 5, 2016, the County conducted a public hearing on the Project as Agenda Item No. 10 ("**Item**"). At the Hearing, the County opted to continue the Item until April 19, 2016 at 9:00 a.m. for the Project's applicant, Steven Kuhn ("**Applicant**"), to submit a revised arborist report

Most recently, on April 11, 2016 CCC requested that the County require the Applicant to submit additional documents by April 19, 2016 and continue the hearing to give the public time to review the documentation and hear the Project on or about May 10, 2016.

As of April 18, 2016, the Applicant has yet to submit a revised arborist report. CCC requests that County continue tomorrow's hearing, set for April 19, 2016 at 9:00 a.m. to a later date and require the Applicant to submit a revised arborist report at least 3 weeks in advance of the hearing to allow the public adequate time to review the Applicant's materials.

Moreover, the County should request that the applicant erect story poles to demonstrate the impact that the Project will have on surrounding trees and neighborhood views and whether the Project will be able to comply with the conditions of the County Fire Department permit as well as Oak Tree Permit. The Applicant has previously indicated their willingness to install story poles on the Project

Site. Email from Stephen Kuhn to Kristina Kulczycki Re: FW: Independent review of Canyon Crest Drive Project (Mar. 22, 2016) 7 ("We had earlier considered staking story poles to portray the footprint of our home, but we have been trying to follow all rules scrupulously and were given pause by the language in the oak tree report . . . .").

Finally, the County should order the Applicant to prepare and submit an Oak Woodlands report to determine whether the Project will not have a significant impact on oak woodlands.

Comments from Rebecca Latta, an experienced professional arborist, addresses the Applicant's response to her March 16, 2016 letter and concludes that the Project still underestimates the Project's impact on individual oak trees and endangers the survival of the entirety of the oak woodland on the Project Site. Letter from Rebecca Latta to Kristina Kulczycki RE: Response to comments from SK to Independent Arborist Review for APN 5830-00-016 – Canyon Crest Road, Altadena (Apr. 16, 2016). Latta also points out a number of key pieces of information have been left out of the Project's arborist report, including documentation of impacts to particular trees as well as the width and depth of the notching for the Project. Finally, Ms. Latta recommends installation of story poles on the Project site under the supervision of a qualified arborist to quantify the Project's impact on oak tree canopy.

Moreover, the Applicant's application materials do not appear to accurately reflect the Project as it will occur on the Project Site. CCC members have erected balloons and various other demonstrative devices that show that the Project's drawings do not accurately reflect the height of the building's interaction with the surrounding oak tree canopy or its visual, aesthetic impact. *Compare* Applicant's Model to Demonstrative Installations.

Finally, the Project Site is an oak woodland covered by the County's Oak Woodland Conservation Plan. Latta notes that the Project Site easily meets the definition of an oak woodland under the purposes of the Oak Woodland Conservation Plan. Latta Letter at 2. An oak woodlands report is required under the County's Oak Woodlands Conservation Plan.

It is a pleasure working with you. Please feel free to contact my Office if you have any questions or concerns.

Sincerely,

Mitchell M. Tsai
Attorneys For Canyon Crest Conservancy

Attachments

Email from Stephen Kuhn to Kristina Kulczycki Re: FW: Independent review of Canyon Crest Drive Project (Mar. 22, 2016) (attached as Exhibit A);

Letter from Rebecca Latta to Kristina Kulczycki RE: Response to comments from SK to Independent Arborist Review for APN 5830-00-016 – Canyon Crest Road, Altadena (Apr. 16, 2016) (attached as Exhibit B);

Applicant's Model (attached as Exhibit C); and

Demonstrative Installations (attached as Exhibit D).

EXHIBIT A

Kristina Kulczycki

Subject: FW: FW: Independent review of Canyon Crest Drive Project
Attachments: R2014-02411_Baer_Wilson_response.pdf; R2014-02411_Bjornlie_response.pdf

From: Stephen Kuhn [mailto:kuhn.s.r@gmail.com]
Sent: Tuesday, March 22, 2016 12:11 PM
To: Kristina Kulczycki
Subject: Re: FW: Independent review of Canyon Crest Drive Project

Kristina,

As requested, I am writing to clarify that the documents included in R2014-02411_responses.zip sent to you on 3/21/16 are intended to supersede and replace those sent in the zip file of the same name on 3/11/16, except where I note at the end of this email, for which the two attachments to this email are most current.

These documents were newly included in the 3/21 file, based on submittals received after 3/11:
R2014-02411_arborist_response.pdf
R2014-02411_Fabbro_response.pdf

This document was extended in the 3/21 file to address two additional submittals received after 3/11:
R2014-02411_Schoeman_response.pdf

These documents were extended to a minor extent in the 3/21 file to address information generated for R2014-02411_arborist_response.pdf:
R2014-02411_Lynch_response.pdf
R2014-02411_Hickman_response.pdf
R2014-02411_Randall_Kimble_response.pdf
R2014-02411_Desai_response.pdf

This document was unchanged:
_08_burden_of_proof.pdf

I also intend for the attached documents - R2014-02411_Baer_Wilson_response.pdf and R2014-02411_Bjornlie_response.pdf - to supersede and replace the documents of the same name included in the two zip files sent 3/11 and 3/21. It extends those letters to address submittals received after we had sent our responses on 3/21.

Regards,

Stephen

Kristina,

We want to thank Rebecca for her work and will consider some of her suggestions carefully with our arborist. We will attempt to address inline the questions and concerns that she has brought up. We believe that she has asked for some details that go beyond the scope of the burden of proof laid out in 22.56.2100.A. It is unfortunate she did not attempt to engage with us or our arborist to address her questions, as it might have avoided some misunderstanding.

We have tried to attribute professional opinion and objective evidence where possible. Our arborist is ISA-certified and was contacted from a list maintained by the county of recommended arborists with experience writing oak tree reports. We deferred to his judgment during design development in iterating on the footprint of the home.

We refer here to the supporting document available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number].

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena.

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

John Lynch is our future neighbor to the north at 3589 Canyon Crest Road, who along with his wife have parked their car and pickup truck on our lot in the unimproved protected zone of our oaks for the past 10 years, since purchasing their home in 2006.

Dear Kristina,

As requested by the neighbor, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from Jay Lopez dated December 3, 2014. I was surprised that the report did not include all the oak trees on the site and failed to mention that it crosses a stream with Riparian oak woodland habitat.

We disagree with the statement that not all oak trees on our site are addressed in the report. Every oak tree – whether on our lot or adjacent to it – with a protected zone encroached by our permeable driveway or the footprint of our home or the construction of our utility laterals is included in the report. At the request of our arborist, we consulted the county Forestry department Environmental Review Unit to confirm that this was the expected scope of any report for a single family residence, and that other trees as far as 200ft distant on private property (many of which were not granted access to be surveyed) were not expected to be included. The county Forester reviewed the oak tree report for our project and agreed with this scope. The oak tree report addressed this with the following statement: "There are additional oak trees within 200 feet of the proposed development, but beyond the property boundary. These trees could not be surveyed due to access restrictions by the adjacent property owners and are not proposed to be impacted by development."

The oak trees in the riparian environment below are also addressed with this statement in the oak tree report: "There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis."

The Assistant Chief Forester who reviewed our oak tree report states that, "The Oak Tree Report is

accurate and complete as to the location, size, condition and species of the Oak trees on the site."

Additionally, I think it is important to note that at some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops. This fill soil can compromise the health of the trees.

It is stated that the pad was re-graded at some point in the recent past. John has been resident at 3589 Canyon Crest since 2006, and as Rebecca was commissioned by John, who would have had knowledge of this had it occurred while he lived there, any claimed grading would therefore have occurred more than 10 years ago. We will discuss with our arborist the risk trade for re-grading to what may have existed 10+ years ago, versus preserving the grade the trees may have acclimated to over this period. We call attention to the fact that these trees have continued to survive to receive mostly grades of A or B from our arborist 10+ years after this claimed re-grading may have occurred.

We note that assessment of this fact required some excavation in the protected zone of the oak trees. We and our arborist have tried to comply meticulously with the oak tree statutes, which may be interpreted to forbid this until an oak tree permit is granted.

Maintaining the health of our trees will be a priority for us during and after construction, and we intend to build on the initial recommendations of our arborist to address the needs of our trees. This may include re-grading after construction is complete, if our arborist recommends.

Quick Summary:

The property contains a significant ecological area and can be defined as an oak woodland. A Riparian woodland exists at the bottom of the canyon on the parcel. There are also important natural rock features impacted by the project.

The statement describes the property as containing a "significant ecological area". Since the term is not capitalized, the intent is ambiguous. We will note that a part of our property became part of a Conceptual Significant Ecological Area as defined under the LA County SEA Program on December 10, 2014 (http://planning.lacounty.gov/sea/proposed). The footprint of the home is outside this conceptual SEA, the boundary of which was drawn to avoid the footprints and adjacent yards of neighboring residences along the west of Canyon Crest (see the SEA overlay at http://rpgis.isd.lacounty.gov/GIS-NET3_Public/Viewer.html). Quoting from the DRP materials, "Conceptual SEAs will replace the current adopted SEAs in these three communities only as each community amends or updates its own community plan." Therefore, this remains a latent designation. In the initial study, our planner notes that "the project site is not located in a currently mapped Significant Ecological Area (Source: General Plan 1980 Special Management Areas Map)".

It is not clear to us what is meant by "important" natural rock features.

Our property contains two separate stands of oak woodland – one in the riparian environment of the canyon below and one at street level. Our home is accurately described in the initial study as sited at the "edge of a disturbed oak woodland community."

Species on the property include canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lot has sycamore and scrub oak.

Fill soil laid down in the recent past should be removed on the flat pad by the oak trees. The actual size of the flat pad not covering tree roots may be much smaller than it is now. Even a small amount of fill soil can contribute to root death and tree decline.

We will carefully consider this recommendation with our arborist, who may come to the same conclusion in overseeing the manual excavation for our home.

The impacts of the project are much greater than represented in the arborist report prepared by Land Design Consultants. The report does not quantify impacts, only discusses distances from tree trunks. I estimate 3-4 trees or more may need to be removed to construct the proposed project.

In the absence of supporting details, it is not clear to us which 3-4 trees are referenced, or whether these are protected trees. As the oak tree statute protects only trees greater than 8" in diameter, we assume the statement refers to removal of 3-4 mature, protected trees. It is stated that impacts are not quantified, but our arborist described the manner and distance of encroachment of all trees. Aside from the single protected oak tree we are cutting, only two of the protected trees on our lot to remain will require any significant pruning, and only these same two trees exceed what our arborist describes as "the minimum industry recommendation for excavation on one side of a tree," being "five time the trunk diameter." We will refer to this ratio as the Encroachment Distance to Diameter (EDD) ratio.

Trees #8, #7 and #4 were described in our report as having retaining wall (which we'll note is really the sub-grade wall of our home) excavation within their protected zones, being "approximately 4 feet from the trunk of tree #4, 6 feet from the trunk of #7, and 1 foot into the protected zone of #8". Tree #8 complies with the industry recommendation, with an EDD ratio of more than 10. Tree #7 is 27.5" in diameter with excavation estimated to be 72" from the edge of the trunk. While this EDD ratio of 2.6 is lower than the recommended 5, the depth of excavation will be reduced and trail off to nearly nothing at the minimum encroachment distance. Tree #4 is sqrt(9.5^2 + 19^2)=21" in diameter with excavation estimated to be 48" from the edge of the trunk. While this EDD ratio of 2.3 is lower than the recommended 5, this encroachment occurs in only a quadrant of the protected zone.

Oak tree #1 has had two separate encroachments that have violated the minimum EDD ratio recommendation in the past ~20 years (support-26), and yet is assessed a grade of "A" for health and vigor in the oak tree report. In 1994, a previous owner of John's property filed for a permit for an overflow seepage pit (http://dpw.lacounty.gov/bsd/nas/5830/003/003/3589%20N%20CANYON%20CREST%20RD%20%20007508982.pdf). The as-built record for this seepage pit is shown on support-27. It shows that a 5' diameter and 35' deep seepage pit was drilled under their driveway near the street. The edge of this seepage pit – construction of which entailed more than three times the volume of excavation of any one of our piles – is no more than 6ft from the trunk of tree #1, per the as-built (support-27). Tree #1 is 33" in diameter, resulting in an EDD of 2.2, less than the EDD ratios we're proposing to adopt for trees #7 and #4, the only such trees to exceed the minimum industry recommendation.

Furthermore, a water meter and lateral were installed on our lot by a previous owner in 2005. The surveyed location of the edge of the water meter is 7ft from the trunk of tree #1, resulting in an EDD of 2.5. These seepage pit and water meter encroachments occurred on opposite sides of the tree, and both encroachments included the construction of laterals well within the protected zone of tree #1. Tree #1 is already encroached immediately to the N by John's own impermeable driveway and slab-on-grade home, and immediately to the E by the impermeable pavement of Canyon Crest itself. Tree #1 is portrayed in the image on page 20 of Rebecca's report. Given the extent of encroachment of tree #1 and its vigor in spite of this, there is some objective reason to believe that our trees may be more resilient than this report appears to state.

Our arborist catalogued the health and canopy extent of each of our trees. In the field, we will make decisions as to which branches must be cut and which may not. We will make every attempt to preserve as much oak tree canopy as we can.

Impacts to adjacent trees are not considered.

It is unclear to us which adjacent trees are being referred to here. All oak trees with any encroachment into their protected zones – whether on our lot or adjacent to it – are considered.

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10, However, the trunk is within 15 feet of the foundation pilings and adjacent to a large boulder that may need to be removed.

The surveyed distance between the trunk of tree #10 and the edge of the NW pile of our home is 15.5ft. Our cantilevered deck does encroach into the protected zone of tree #10, though it does not physically overlap with its existing canopy at that elevation and therefore results in no physical encroachment of either the protected root zone or canopy of tree #10. To address this marginal encroachment of oak tree #10, we submitted to our planner in July of 2015 a revised burden of proof that states, "The proposed project construction will result in nine (9) encroachments and one (1) removal of the total 10 surveyed oak trees onsite."

2. Sewer line and water line construction impacts are not mentioned in the oak tree report. Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.

Construction of laterals will adhere to oak tree mitigation measure #4, that "all work in the protected zone of the trees approved for encroachment must be done using hand implements only," and measure #10 that "any major roots (2" or greater in diameter) encountered shall be preserved to the extent possible". According to IPC section 305.6 and IRC section P2603.6 and P2603.6.1, water and sewer laterals may be buried at 12" below grade. The more conventional 18" specification for these laterals will still allow us to avoid any permanent damage to any oak tree roots, through careful, shallow excavation. Although the sewer lateral is required to drop deeper where it enters the road right of way, this point was chosen to be more than 15ft distant from any tree.

3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.

The proximity of these permanent changes to grade – which are confined to the footprint of the home – is quantified wherever the impacts exceed the industry recommendation. The amount of grading – both cut and fill – is also quantified.

   a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?

The holes do not have to be shored, and if they were, shoring is thin corrugated steel that does not add significantly to the diameter of the excavation. Spoil from the holes will be removed from the site.

   b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.

On our website (https://bitly.com/1VnrSrM), we have a link to videos that show the limited access drill rigs that are used on hillside lots (and even inside homes) to drill piles. Dump trucks will not be used

on our site. As is conventional on any construction site, spoil can be removed with standard 5 or 10 yard dumpsters that are no more than a few feet high. The loads of these temporary dumpsters will be distributed with plywood in the protected zone of our oak trees, per oak tree report mitigation measure #6.

> c. Where will materials be stored where they are not within the protected zone of any oak trees?

The implication of this statement appears to be that it is not permitted to store materials within the protected zone of oak trees. While it is desirable and conditioned where possible to avoid parking in the protected zones of trees to minimize compaction, any such requirement would be inconsistent with the use of our lot to park John's 2-ton pickup truck in the unimproved protected zone of our oak trees for ~10 years. Our oak tree report mitigation measure #6 allows staging of materials in the protected zone of oak trees, provided the loads are distributed with plywood cribbing to reduce compaction. We believe with our arborist that with this measure in place, staging will be no more impactful to our trees than the point loads of the truck's tires.

Once our main level and garage is cast, we will have an additional ~1000sf of area to stage building materials off of the unimproved ground in the protected zones of our oak trees. It is after this point that most deliveries – framing lumber, sheathing, drywall, cladding, roofing, windows and doors, etc. - will be made.

> d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees?

The flow of the drainage channel will be re-routed gently by ~3-5ft around the SE corner of the house. This will have a small impact to native grade (in family with the claimed over-grading at the level of the pad), an impact confined to a single oak tree's protected zone (tree #5).

> e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?

The arborist presumably relies on their skill and experience and does not recommend removing trees that are expected to survive.

> f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.

The height of our home with respect to grade and the height of overhanging canopy with respect to grade are variable. It is inaccurate to reduce this to a single figure of 31ft. It is true that at the NE corner (the maximum absolute elevation, which is 31ft above street grade) there will be no over-hanging canopy (though canopy will remain to the north and east that will continue to obscure this corner from neighbors and from much of the street). This would also have to be true were our home 5ft lower at this corner. A limb of tree #4 will need to be pruned to effect this. Some limbs and branches from tree #7 will also need to be pruned. The height of our home most impacts tree #7, as the tree that will see the greatest extent of canopy encroachment and pruning. At the middle vertex of our home along its north edge, the height at ridgeline with respect to the base of the trunk of tree #7 will be ~25ft, and at the NW corner, ~10ft. Parts of the canopy of tree #7, which extend to a height of 35ft above the grade at its trunk, will be able to overhang our home. Aside from tree #4 and tree #7,

only tree #5 has canopy that intersects the footprint of our home, and this only slightly, at the SE corner. It will be trimmed slightly, if at all.

We had earlier considered staking story poles to portray the footprint of our home, but we have been trying to follow all rules scrupulously and were given pause by the language in the oak tree report, prohibiting "any act causing or tending to cause injury to the root system". Some of our neighbors have put up an array of changing visual aids attempting to portray some dimensions of our home, and where they believed the vertices to be located. Some story poles must have been driven at least a couple feet into the ground in order to stand up.

We had also created wireframe renderings from several vantages that attempted to portray the massing of our home.

> g. There is no mention of the required 5 feet of clearance required by the fire department for the structure.

No citation is provided for this claim of 5 feet of clearance, as John provided no citation for the claim in his opposition letter that an "additional 10 feet of clearance around the structures" is required. In the applicable fuel modification guidelines (https://www.fire.lacounty.gov/wp-content/uploads/2014/02/Fuel-Modification-Plan-Guidelines-8-10-11.pdf), the following statement is made with respect to trees in zone A: "Trees should be limbed up to at least 6 feet above bare earth and a minimum of 3 times the height of underlying plants." There is no reference to a 5 feet setback for the limbs or canopy of trees in proximity to the home. And these are guidelines, that do not necessarily reflect the state of enforcement on the ground, for which other considerations apply.

We live at 4381 Canyon Crest, about a mile up the road from the site of our new home. The same fuel modification inspectors visit us presently as will visit us in our new home. We have a large Q. agrifolia just below heritage size 8ft from the W edge of our home, which overhangs the house. Every couple of years, an inspector will typically ask the canopy be trimmed back to a few feet of offset from the roof. The large limbs of another tree are permitted 12" from the N edge of our home, along the soffit. There are other fine examples of Q. agrifolia trees in Altadena that coexist in close proximity to the homes they shelter, and for which even soffits have been rebuilt to accommodate limbs (support-25). These homes are successfully inspected and insured, and ours will be as well, with its fire-rated assemblies.

We also note that 5ft width around the perimeter of the home for access by fire personnel on foot requires no pruning of canopy beyond that typical of fuel modification, as we describe above.

4. The report does not address any impacts to the heritage sized oak tree on adjacent property to the south and additional tree over protected size on their property. Although there are no heritage size trees around the building site, there are some within 200 feet of the project.

The referenced tree is ~60ft distant from the S edge of our home, well outside its protected zone. We clarified earlier the scope of our report and the approval of that scope by the Forestry department. It is unclear what is meant by "additional tree over protected size on their property." All protected trees with any impacts were analyzed in our report, and all trees on our lot were addressed.

5. There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2 inches of fill soil can suffocate roots and cause root decay.

We have addressed this point earlier. On the one hand, it is noted that as much as 3ft of over-graded fill has existed for a period of ~10 years in the protected zone of trees that were graded A or B. On the other, it is claimed that 2 inches of fill can suffocate roots. Regardless of whether this may be true of some trees, ours appear to have demonstrated some tolerance. We will consider the

recommendations of our arborist during and after construction.

6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage.

We have earlier addressed the misconception that the footprint of our home is in any SEA, and that any portion of our lot is in a currently mapped SEA. The oak trees in the riparian environment of the canyon below are described in our report as not being impacted.

No support is provided for the claim that there are multiple oaks that are "directly" below the building site. Our arborist quantifies their proximity with this statement in the oak tree report: "There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis."

Sediment and debris generation is controlled by the DPW Erosion and Sediment Control Plan requirements, were excavation to occur in wet months. In the dry months, conducting excavation by hand will limit these impacts to less than significant. The hillside between the footprint of our home and the oaks in the canyon includes dense ground vegetation that would intercept whatever small quantity of dirt may escape our control measures.

Our home will do little to alter existing drainage patterns, having a footprint of only 1262sf. Existing sheet runoff from the footprint of our home intersects the open drainage swale before it intersects the protected zones of the oak trees in the canyon below. Our roof runoff will also be directed to this open drainage swale, preserving the existing drainage pattern.

Also the slope is full of large boulders that may require removal to construct the proposed pilings.

The single large boulder pictured on page 12 of the report, as well as that portrayed on page 13, have been surveyed and do not require removal. All piles are sited at locations free of rocks/cobbles that are visible at the surface. The depth of alluvial terrace containing these cobbles is anticipated to be 2-4ft, per the test pits of our geotechnical report.

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.

There is no supporting exhibit map to derive this figure of 35%. There are two stands of oak woodland on our property, and only the road-side stand is affected. Using the canopy outline created by our arborist in his exhibit map, the area of protected oak tree canopy in this stand on our lot is ~4171sf, which is ~9% of the area of our 44390sf lot. We portray this in support-34.

> a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.

This process occurred as part of the initial study, which states: "The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (Quercus agrifolia) tree from the community for the construction of the proposed residence. The

applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant."

Although our arborist does not believe it is likely, even if one or more trees were to succumb from impacts from construction, we are able to mitigate impacts to oak woodland by planting additional trees in a 2:1 ratio either adjacent to the stand of woodland at the street, or the riparian stand of woodland below. We hope to plant additional oak trees independent of any statute requirements, and in time to see our oak woodland expand and prosper in a favorable environment.

b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.

Our exhibit map depicts and labels all affected oak trees. All of these oak trees are acknowledged to be a part of a stand of degraded oak woodland.

8. How much notching is a slight notching for the driveway? The depth needs to be quantified.

We believe this is referring to the following statement in the oak tree report: "The placement of the new driveway will be placed over existing grade and may require a slight notching of the hillside for placement of the driveway". This notching is that of our home in order to place the garage at the level of the street. No excavation is required for placement of our driveway. The notching for our home is described in the architectural drawings submitted as part of this process.

9. If the driveway gets laid over the existing grade without removing soil, how will it not be several inches above grade? Vapor permeable driveways can still cause root damage and compaction unless carefully designed. What percentage of the root zones will be impacted by the driveway?

Our driveway is composed of a thin layer of gravel. In the same way that a thick layer of mulch that does not affect permeability is not treated as changing the grade (and noting that we are conditioned to provide four to six inches of mulch in the protected zone of our trees after construction per oak tree mitigation measure #11), this gravel is not treated as materially changing the grade either. Given this negligible impact to existing conditions, it was not considered necessary to further quantify it.

In my opinion, at least 3-4 trees will have to be removed to construct the project and several more will sustain significant impacts that could shorten their lifespans. The report lacks sufficient detail to determine the extent of certain project related impacts to the trees. More importantly, this property is part of the visual corridor of native oak trees that lead to the Meadows. The trees are part of the visual character that gives the neighborhood a semi-rural fee. I also believe oak woodland habitat in Southern California is rapidly disappearing due to drought and development and healthy trees should be preserved.

We have earlier addressed why we believe with our arborist that one – and not 3-4 – trees need to be removed. Removal of 3-4 trees would imply that removal is required not just of the only two trees (trees #4 and #7) that see any pruning and encroachment from notching of the hillside, but as many as 1 other tree, and that "several more" in addition will sustain significant impacts. If oak tree #5 is assumed to be this additional removed tree, and acknowledging that #6 must be cut, then "several more" can refer only to trees that are encroached only by our permeable driveway (trees #1, #2 and #3) or the construction of piles at the edges of their protected zones beyond the dripline of the canopy (trees #8, #9 and #10).

We hope we have been able to address Rebecca's questions and concerns. We live in the Meadows

neighborhood and love the oak trees in the area. We have tried our best to design a home that retains as many of our oaks as is possible. We look forward to planting new oaks on our property to preserve and expand the two stands of beautiful oak woodland. We also hope to dedicate a conservation easement to forever protect the riparian environment of the canyon and oak woodland far below our home, and have initiated a conversation with the Arroyos and Foothill Conservancy towards that end.

Regards,

Stephen and Vandana

Please let me know if you have any questions.

Sincerely,

Rebecca Latta

Consulting Arborist, Horticulturalist
626 272-8444 cell
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ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists

EXHIBIT B

Rebecca Latta Arboricultural Consulting

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April 16, 2016

Kristina Kulczycki
Senior Regional Planning Assistant
LA County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Response to comments from SK to Independent Arborist Review for APN 5830-003 016 - Canyon Crest Road, Altadena

Dear Kristina,

As requested by my client, I have reviewed the comments submitted by the applicant regarding the Independent Arborist Review I submitted before the hearing. I have responded to his comments below:

GENERAL COMMENTS:

During the hearing, the property owner stated that the arborist no longer works for Land Design Consultants and that he no longer working for them on this project. The hearing officer at the April 5, 2016 hearing specifically requested an arborist's opinion. The property owner is not an arborist, nor are they officially qualified to assess the impacts from his own project on the trees.

The property owner believes that the impact on trees beyond the one removal will be minimal. In my opinion, the report downplays impacts to protected oak trees.

1. The arborist report from Land Design Consultants discusses that there will be root impacts, but states "specific root impacts cannot be determined".

2. The report downplays the significance of the retaining wall within 4 feet of the trunk of trees #4 and #5 and fails to mention that anchor and large lateral roots critical for structural support may be located in the impact area. The edge of the retaining wall is not the edge of the encroachment because the soil may need to be 'laid back' in order to construct the wall on a slope and space will be required to insert the form for the concrete. Additionally, I usually estimate 5-feet of working room will be required next to the retaining wall needed for scaffolding and materials (working room).

3. From the site plan dated July 13, 2015, the project appears to underestimate canopy impacts. On the table provided on page 8 of the report in the comments, several trees have a note indicating there will be encroachment within the dripline, but no mention of the

amount of canopy or size of branches to be removed to construct the proposed structure. It is my opinion that when the total amount of root and canopy encroachments equals more than 50%, then the tree may sustain significant damage and requires removal. My rough calculations for trees with the most impacts are as follows:

- More than 50% of the canopy of Oak #4 will require pruning including large branches over 2 inches in diameter. The tree would be subject to more than 50% of its total area in root encroachments. Steps to be installed within 2 feet of the trunk will require excavation not mentioned in report. Combined with the root encroachment from the retaining wall, the compaction from the staging and activity for the pilings and the concrete apron, this tree has enough impacts that it may go into decline. In my opinion, the combination of canopy and aerial impacts could severely damage the tree. (50% root and 50% canopy)

- 25% of the canopy of Oak #5 will require pruning and removal of branches over 2 inches in diameter. The sewer line and retaining wall combined could damage more than 35% of the total root zone. In my opinion, the combination of canopy and aerial impacts could severely damage the tree. (25% root and 35% canopy)

- 45% of the canopy of Oak #7 will require pruning and removal of branches over 2 inches in diameter. The root encroachment is 55% including the access steps around the structure.

SPECIFIC RESPONSES TO COMMENTS

Burden of Proof:

1.b.i.c The grading plans lack adequate detail to assess oak impacts. The plans should show the exact limits of grading under the canopy of the oak trees.

His comments on my letter:

Paragraph 1:

The project proposes to change surface flow that might affect the oaks downslope. It is my understanding that the house will be built over the current drainage. Small changes in hydrology can impact oak trees if they are accustomed to the water source especially in a drought year.

It is my opinion that the downslope trees should have been mapped and discussed in more detail since the property is an oak woodland (greater than 10% canopy - using the oak woodland guidelines). I used Google Earth and rough property map from the County website and determined the number of oak trees. Then I added the sphere of influence and determined that the oaks covered approximately 35% of the whole property. That qualifies the property as an oak woodland per the definition in the oak woodland management plan. See page 5 of the LA County Oak Woodland Conservation Plan. The project information downplays and minimizes the significance of the impacts to the oak trees and to the woodland as a whole.

The County oak tree ordinance requires that trees within 200 feet of construction be addressed. The trees are 170 feet away from the construction, but due to the steepness of the slope may have be impacted. The downslope trees could be impacted specifically by erosion, changes in drainage/hydrology, and runaway construction materials.

The letter from the County of Los Angeles Fire Department Fire Prevention Division requires a minimum unobstructed width of 20 feet excusive of shoulders and an unobstructed vertical clearance (clear to the sky) and Fire Department vehicular access within 150 feet of the exterior walls of the first story of the building. This will require the applicant to remove additional canopy.

Paragraph 2:

Fill soil, even old fill soil, can be carefully removed a little at a time (over a period of years). The fill soil is currently suffocating roots and creating potential stress on the existing trees. The arborist from LDC did not physically verify if the trees had rooted into the fill. The extent of any new rooting into the fill can be determined with exploratory potholing into the fill. The following excerpt from Matheny and Clark Trees and Development: A Technical Guide to Preservation of Trees During Land Development is provided below to explain my conclusion.

"It can take a long time for the damage from fill soil to be evidenced in the tree canopy. Root rot starts slowly and then progresses to a point where the trees die or fail. The fill soil holds moisture around the trunk and alters normal gas exchange. Some trees develop adventitious roots in the fill soil that keep the tree green and alive. Over time, however, disease and decay may develop in the original root crown and buttress roots. The tree becomes structurally unstable and prone to failure."

Trees with root decay of this nature may fall over before the crowns die back. This is because some nutrients can get to the canopy, but weight of the foliage can no longer be supported by the weakened root system.

Summary:

I labeled the site a significant ecological area because I believe that it is a viable biological system regardless of the label used by LA County. The area is adjacent to a national forest, and is part of the proposed wildlife linkages in the 2014 Regional Habitat Linkages plan on the Regional Planning website. The fact that it was a part of a conceptual SEA indicates there are resources there. The home is proposed to be located in a grove of oak trees - an oak woodland - not on the edge of it.

Regarding the 4th paragraph:

The owner admits that significant pruning will be required but the impacts are not quantified in the report. The report says, for instance, that the structure will encroach 16-feet into the dripline of oak tree #7, a tree that already has issues and is rated 'C', but does not discuss the significance of the encroachment.

The arborist did not catalog impacts to the trees. He states only whether the trees would have an encroachment or not, and the distance. A thorough impact assessment will identify which branches need to be cut and their sizes. Large pruning cuts wound the trees and open them to insect and disease attacks. Pruning large amounts of canopy over 20% can cause the tree to go into decline because the leaves collect food from photosynthesis that help to keep the tree healthy. Removing too many leaves put the trees on a starvation diet.

Missing from the Arborist report from LDC:

2. On a steep slope, the roots can be found where the water and resources are located. A sewer lateral 12 inches deep can cause significant damage to lateral and anchor roots close to the trunk of the trees.

3. The amounts of cut and fill within the protected zone of the oak trees is NOT quantified. Sections would be required to understand the extent of impacts. For instance, the concrete apron might require the removal of a 20x20 area of soil to a depth of 12 inches deep within the root zone of tree #4.

c. Plywood does spread the load but it does not prevent compaction. The impacts from this project will be concentrated in a small area that impacts trees #1, 4, 5, 7, 8 . Lichter and Lindsey (Soil Compaction in the Journal of Arboriculture 20(4) July 1994) state that soil compaction is reduced but not eliminated with the use of surface treatments such as plywood. The plywood and mulch break down quickly under the weight of equipment. They go on to say that limiting equipment use under the canopies, avoiding work when the soil is wet and selecting lightweight equipment are all part of a multi-faceted approach to limiting soil compaction.

The proposed project would have sustained impacts in a small area completely covered with tree roots. This can be seen in the photographs from the site looking west from the road. These roots could be damaged and the soil significantly compacted from continuous activity to build the structure. These impacts would not show up in the trees for several years. Even though the applicant proposes to stage materials on the slab once it is constructed, the initial soil compaction can cause stunted roots, limit air and water exchange, destabilize root systems, and reduce drought tolerance. (Taken from a Guide to Preventing Soil Compaction During Construction, Alabama Cooperative Extension System, Publication ANR-1455). It should be noted that the ACES guide states that 3/4 inch plywood can be used for access under trees, but should not be used for repeated crossings. They suggest using plywood for light, irregular traffic areas.

f. It would be easier to see the actual canopy impacts if the applicant installed story poles. The poles can be installed through the tree canopies with minimal root and canopy impacts if the applicant has the work observed by a qualified arborist.

g. The fire department guidelines determine the clearance limits around the structure. In addition to that, they need to clear native vegetation further downslope because the property is on a steep

slope. Large limbs within 12 inches of a structure are problematic and often are pruned because they bang against structures in the wind or start to abrade the surfaces. It is not advisable to design a building so close to an existing tree.

7. The 35% oak woodland figure is derived from looking at the aerial map and determining that the amount of coverage of oaks with the sphere of influence, 10x the canopy area, which is approximately 35%. This information is on page 4 of the Oak Woodland Conservation Plan. The applicant only considered the trees at the top of the slope to achieve his 9% coverage. To only look at the oaks at the top of the slope ignores the rest of the trees on the site. The oak woodland guidelines are not written in that manner. The trees at the top of the hill are part of the same watershed as the trees on the lower slope. The property owner dismisses the proposition that the site contains an oak woodland and separates the trees he's impacting on the upper slope from the ones on the lower property. Using the County's guidelines, the tree canopy is roughly contiguous if you apply the 10x sphere of influence. In my opinion, looking at the County's guidelines, the property is an oak woodland and the two areas of oak trees should not be considered separately.

8. The width and depth of the notching is not discussed. There is not enough information to determine the amount of impact.

In my opinion, the applicant has not met the Burden of Proof as required in the LA County Oak Tree Ordinance Section 22.56.2100 because they are unable to prove that the construction will not endanger the health of the remaining trees on the subject property.

Please let me know if you have any questions.

Sincerely,

Rebecca Latta

Rebecca Latta
Consulting Arborist, Horticulturalist
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

Rebecca K. Latta
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Glendora, California 91741
(626)272-8444 cell
rlattaconsulting@gmail.com

Arboricultural, Horticultural and Biological Consultant

Education

- UC Davis School of Agriculture and Science, 1979-1980
- Pasadena City College, Photography and Graphic Arts, 1980-1981
- UC Santa Barbara, Environmental Studies/Geography B.A., 1982-1984
- UCLA Extension, Landscape Architecture Program 1985-1987
- 170 CEU's, Arboriculture, Forestry, Fire Safety, Birds, Insect, Diseases, Pruning, Planting, Invasive Plant Management, Chaparral Ecology and Water Management 1989-present.

Registrations and Certifications

- Graduate, American Society of Consulting Arborists Academy (2008)
- Certified Tree Risk Assessor #1217 (PNW ISA Chapter 2011)
- Certified Arborist #4264A Western Chapter ISA (1998-present)
- Nesting Bird Monitoring Training (2011, 2012 Edison International)
- CDFG Plant Collection Permit No. 2081(a) 12-28-V

Work Experience

Owner, Rebecca Latta Consulting. Glendora, California: Arboricultural, horticultural and water management consulting for large estates, residential homes, development projects, cities and utilities.

Beverly Park Estate Client (2013 to present): Comprehensive landscape evaluation and guidance for estate with multiple landscape challenges including insects and disease, uneven watering, plant mortality and poor performance. Currently working with client to reduce water use and improve overall soil and plant health on-site.

Trust for Public Land Pocket Park Projects, Los Angeles County (June 2012 to present): Hired to train maintenance crews to prune trees and native shrubs in a pocket park in Maywood. Additional projects were added and now scope of work includes review of landscape, irrigation and grading plans for 4 new pocket parks, landscape plant stock inspection and tree preservation construction monitoring.

Thornton Gardens, San Marino (October 2013 to present): Arborist services to provide horticultural opinion, plan review, tree risk assessment, tree preservation, construction monitoring and other services as requested for 13-acre garden in San Marino in development for future addition to Huntington Gardens.

Arborist Services, City of La Canada (August 2010 to present): Arborist services to provide plan review, tree risk assessment, construction monitoring and other services as requested for Planning and Public Works. Projects included Woodleigh Reconstruction Project, Mayor's Discovery Park, Memorial Park Slope Reconstruction, Jessen Bridge Reconstruction, Lasheart Sidewalk Feasibility Study and on-call tree assessment and tree-related code enforcement projects.

Silver Lake Reservoir Tree Impact Assessment and Preservation Plan. LADWP (2011 to present): Arborist services to evaluate plans for proposed improvements and upgrades to supply lines at the reservoir. Reviewed nesting bird survey and provided arboricultural information to be inserted in biological report for the project. Reviewed current landscape and tree preservation specifications and provided recommendations for new language. Attended community meetings as requested.

Woolsey Canyon, City of Sherman Oaks (LA County) (2012): Arborist services to provide a physical survey of tree characteristics, determine health and assess construction impacts for an oak tree preservation report for a 60-acre site in a wooded canyon in the Sherman Oaks area. Oak tree report was approved along with the Biological Report in October 2013. (Partnered with Converse Consultants and Gonzales Biological Consulting).

Arborist, Noreas Incorporated. Irvine, California. (2014 to present): Arborist and biologist for an environmental engineering and science consulting firm providing biological survey, mitigation monitoring services to Edison International.

Senior Arborist, Forde Biological Consultants Inc. Camarillo, California. (2010-2013): Arborist and biologist for a small environmental consulting firm providing resource inventory and monitoring services. Responsible to manage and conduct oak tree surveys and develop reports to satisfy local tree preservation and coastal preservation requirements.

Adjunct Professor, Citrus Community College, Glendora, California. (2010): Public Works Program (Fall/Winter 2010): Taught Urban and Municipal Tree Care (PW 158) and Urban Forest Management Planning – Toolkit (PW 159).

Senior Arborist, SWCA Environmental Consultants, South Pasadena, California. (2007-2012): Arborist for environmental consulting company providing natural and cultural resource services. Responsible to promote, manage and provide technical expertise for arboricultural and horticultural projects.

Otay Mountain Tecate Cypress Study : Worked with Paul Zedler Phd., Biologist and Fire Ecologist and Michael Kline., specialist for Thorne's Hairstreak Butterfly to study the effects of fire on a population of Tecate Cypress on Otay Mountain, San Diego County, for the Bureau of Land Mangement. The study included an extensive bibliography of known resarch on the cypress and contained fire and population management strategies based on our research and field studies.

Arborist and Horticultural Specialist, Stone Canyon Water Quality Improvement Project, Los Angeles, California (2003-2011): Provided arboricultural, landscape and horticultural services in support of the Los Angeles Department of Water and Power's (LADWP's) Stone Canyon Water Quality Improvement Project. Developed habitat restoration plan for manufactured slopes created from tunnel spoils on the property. Created specifications for planting and irrigation. Monitored construction and invasive weed removal by the landscape contractor.

Santa Monica Urban Forest Master Plan, Santa Monica, California (2009-2012): Worked with a landscape architect (Artecho) to develop a 50-year long-range master plan for street and park

trees for the City of Santa Monica. Effort included research, tree succession planning, specifications for tree preservation and replacement policies.

Los Angeles County Oak Woodland Habitat Conservation Strategic Alliance, (2008-present). Provided list of oak dependent species for Oak Woodland Habitat Conservation Guidelines. Worked collectively with alliance of arborists, foresters and community leaders to develop recommendations revising the Los Angeles County General Plan to comply with the State Oak Woodland Preservation Act.

Consulting Arborist, City of Agoura Hills, Agoura Hills, California. (2002-2007): Responsible for review of plans and documents for compliance with City of Agoura Hills oak tree, environmental, and landscape ordinances; nursery stock inspections; and field inspections as required. Attended planning commission and community meetings associated with projects. Provided backup to city arborist during emergency windstorm events to assess hazardous trees and prioritize work. Performed oak tree surveys, mitigation monitoring and other arboricultural duties as requested. (Subconsultant to Seven Elk Ranch LLC.)

Urban Forest Supervisor, City of Pasadena, Pasadena, California. (1998–2002): Responsible for comprehensive management of 57,000 city street trees, tree preservation and planning programs, grant writing, administration and planting implementation. Researched and developed a draft native tree preservation ordinance. Revised contract specifications for tree planting, pruning and removal. Updated urban forestry management plan including revisions to the Master Street Tree Plan through city commissions with required CEQA environmental documentation.

Lower Arroyo Seco Wash Restoration - Reviewed and recommended modifications to the restoration plan proposed by Waste Management for mitigation of the Sunshine Canyon Landfill in the Arroyo Seco Wash in Pasadena, California.

Eaton Canyon Natural Area Restoration – Reviewed restoration plans and monitored for compliance with environmental documents during removal of non-native invasive species and planting of restoration species. Inspected nursery stock for health and species confirmation.

Landscape Conservation Specialist, City of Pasadena Water and Power Department, *Pasadena, California.* (1990–1997): Designed and implemented landscape water and energy conservation programs for the Pasadena Water and Power Department. Programs included a strategic shade tree planting program (TREE – Trees as a Resource for Energy Efficiency) and irrigation water audits for large landscape areas. Performed feasibility study of reclaimed water use for Pasadena's largest landscape customers. Duties included partnering with the City Street Tree Division for neighborhood tree plantings and landscape water conservation workshops.

Presentations/Training

Basic Tree and Shrub Pruning. Presented at Los Angeles County Arboretum, Saturday 3-hour Workshops with hands-on training. January 25, 2014.

Tree Health from Nursery Sapling to Garden Specimen. Presented at Los Angeles County Arboretum Thursday Garden Talks. October 24, 2013.

What is a Tree Worth? Presented at Inland Urban Forest Council Annual Workshop – "Trees Make Dollars and Sense" at the Riverside Corona Resource Conservation District, Riverside, California. June 13, 2013.

New Oak Threats Workshop: Workshop on the Care and Treatment of Common and New Threats to your Oaks. Huntington Library, Art Collections and Botanic Gardens, Friends Hall. January 12, 2013.

Urban Forest Master Planning. Presented at the Inland Urban Forest Council Annual Workshop – "Mature Tree Management" at the Riverside Corona Resource Conservation District. Riverside, California. October 30, 2012.

Consulting Arborist Toolbox. Presented at Inland Urban Forest Council Quarterly Seminar, Sims Tree Learning Center. June 14, 2012.

Tree Pruning and Care. Presented at Watershed Council Seminar 'Landscaping Lightly', Los Angeles County Arboretum, Ayres Hall, March 18, 2012. 250 attendees.

Ensuring Healthy Trees for the Urban Landscape. Presented at the Los Angeles and San Gabriel Rivers Watershed Council Seminar at Rancho Santa Ana Botanic Gardens, June 9, 2011

Tree Construction Preservation and Impact Assessment. Presented at the California Urban Forest Council Inland Chapter Workshop at the Riverside Corona Resource District Headquarters, June 16, 2011.

The Southern California Woodland Garden: Using Native Plant Communities to Design Sustainable Gardens. Presented at Theodore Payne Foundation, November 14, 2009.

'Oaks and Fire: Examination of the Effect of Fire on Oak Canyon'. Presented at Oak Canyon Park, Anaheim, California. Given jointly with Ty Garrison at A Day in the Canyon, Discovering Oaks Seminar, Western Chapter International Society of Arboriculture, September 18, 2009.

Oaks of Los Angeles County: Identification and Associated Species. Presented at the California Native Plant Society, San Gabriel Valley Chapter, September 24, 2009.

Programs

Trees as a Resource for Energy Efficiency (TREE) Program. The 5-year strategic shade tree planting program for municipal customers in Pasadena to reduce peak summer energy use from air conditioning. The program won the California Municipal Utilities (CUMA) Energy Innovator Conservation Award. (1993).

Protector of Water/Protector del Agua (in conjunction with MWD). Program to train workers for to maximize irrigation efficiency. (1996).

Landscape Irrigation Audit Program: 3-year pilot program to determine potential water savings from large landscape customers in the City of Pasadena. (1994-1997).

Dry Climate Garden Awards Program: 2-year program designed to reward homeowners who switched out turf for native or Mediterranean climate landscapes with efficient irrigation. (1995-1997).

Professional Affiliations

- California Native Plant Society, San Gabriel Valley Chapter, Field Trip Chairman, 2014
- Inland Urban Forest Council Board Member, 2008 – present
- Scholarship Committee Street Tree Seminar, 2011

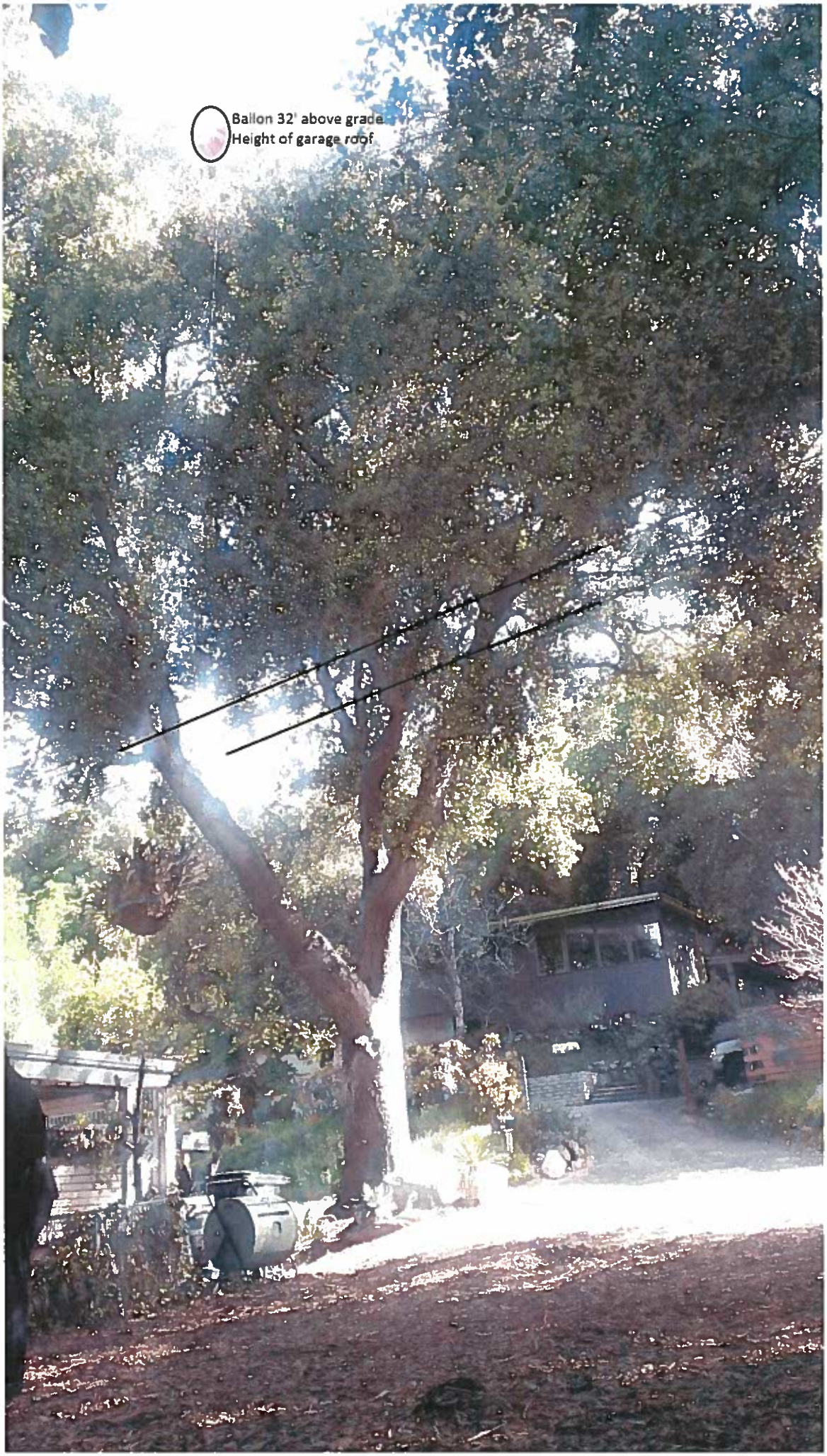
- Landscape and Planning Representative Board Representative, California Urban Forest Council, 2009
- Member, International Society of Arboriculture Western Chapter (1998 – present)
- Member, American Society of Consulting Arborists (2008 – present)
- Member, Los Angeles County Oak Woodland Habitat Conservation Strategic Alliance
- Member, Street Tree Seminar (1998-2003), Sergeant at Arms 2001, Secretary 2002.

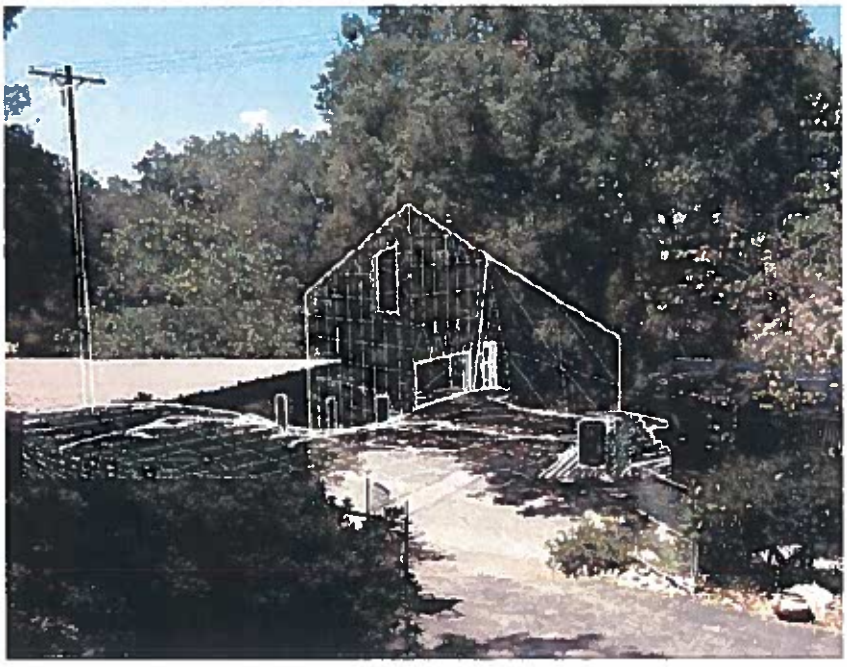
References provided upon request.

EXHIBIT C

PHOTO 1

EXHIBIT D


Ballon 32' above grade
Height of garage roof



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 18, 2016

TO: Hearing Officer

FROM: Kristina Kulczycki
Zoning Permits North Section

SUBJECT: Project No. R2014-02411-(5)
Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, and Environmental Assessment No. 201400194
HO Meeting: April 19, 2016
Agenda Item: 5

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and additional encroachments into the protected zone of nine other oak trees.

Please find enclosed comment letters and arborist response for the above referenced item that were submitted after the April 5, 2016 hearing.

If you need further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:KK

Enclosures: Comment letters
Arborist response

LDC
Land Design Consultants, Inc.

April 18, 2016

Ms. Kristina Kulczycki
Senior Regional Planning Assistant
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012
(via email: kkulczycki@planning.lacounty.gov)

Re: Oak Tree Permit No. 201400035, APN: 5830-003-016 - Canyon Crest Road
LDC Project No. 13038-001

Dear Ms. Kulczycki:

At the request of Mr. Alex Garcia, Hearing Officer for this project, Land Design Consultants, Inc. (LDC) has reviewed the Independent Arborist Review of the Oak Tree Report, prepared by Rebecca Latta Arboricultural Consulting, dated March 17, 2016. Please be aware that LDC's involvement in the project in 2014 was at an early stage of the project submittal process. LDC's report was submitted to the applicant, Mr. Stephen Kuhn, in August 2014 and we have not been in contact with him or any County representative since that time. We were contacted and first made aware of Ms. Latta's review by the applicant only a few weeks ago when Ms. Latta submitted her comments, and we are responding at our earliest convenience.

It is my understanding from reviewing the most recent plans, that the project entryway has changed, and that the portion of concrete driveway outside the footprint of the home has been removed. However, these changes did not affect the footprint or elevations for the home, and do not lead to any increased impacts. After speaking at length with the applicant and reviewing 3D renderings the applicant provided, I was also made aware that the extent of excavation was somewhat different than I had understood from the site plan dated July 14, 2014 and earlier conversations with the applicant and his architect. As a result, the impacts indicated in the August 2014 report may have underestimated the impacts to trees #4 and 7. Although the impacts may have increased, I feel the dispositions indicated in the 2014 report will remain the same, and the minimum excavation encroachment distances remain unchanged. I have attempted to provide as much detail as possible of the impacts given the benefit of this additional information.

As I was preparing my report, I spoke to the Forestry Unit with the County of Los Angeles Fire Department and discussed the constraints of the property in regards to inventorying all oak trees within 200 feet of the project development. Since we were not expected to be granted access to all the properties within 200 feet, Forestry agreed that the report could be limited to those oaks within the immediate vicinity of the project footprint and associated infrastructure, while providing a general description of the other oaks. The August 2014 report stated these limitations and described, in general, those outlying trees. Those oak trees at the bottom of the property are approximately 170 feet downslope, are not impacted by project development, and were therefore not included in the scope. I believe that the report was prepared in accordance with the intent of the County Oak Tree Ordinance. Further, the Assistant Chief Forester who reviewed the August 2014 report stated that "The Oak Tree Report is accurate and complete as to the location, size, condition and species of the oak trees on-site."

The following are my responses to details Ms. Latta claims are missing from my August 2014 Oak Tree Report:

Item #1 – Impact analysis for tree #10. The arborist report from LDC says there will be no impact to tree #10. However, the trunk is within 15 of the foundation pilings and adjacent to a large boulder that may need to be removed.

Response – The location of the foundation piling is outside of the dripline of tree #10 and just outside the outer limits of the protected zone of the tree. Based on the Oak Tree Location and Impact Map that was provided by the client's engineer in 2014, no construction activities will take place within the protected zone of tree #10. At the time the report was prepared, no specific boulders were proposed for removal within the building footprint.

The location and design of the cantilevered deck were not available at the time the report was prepared in 2014. Upon reviewing the deck on the Site Plan, dated March 4, 2016, encroachment into approximately two feet of the dripline of tree #10 may result. It does appear that the existing canopy is at or near the elevation of the deck and may result in very minor canopy pruning, if at all. The applicant has already submitted a revised burden of proof adding tree #10 as an encroachment based on this fact.

Item #2 – Sewer line and water line construction impacts are not mentioned in the oak tree report. Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.

Response – The location of the sewer and water lines were not available at the time the report was prepared in 2014 and their impacts were therefore not analyzed. Based on the location that is currently shown on the Site Plan, dated March 4, 2016, excavation required for the installation of the sewer line may result in impacts to the root systems of trees #1, 2, 3, 4 and 7. The sewer line would be located approximately 21 feet from the trunk of tree #1, 15 feet from the trunk of tree #2, 16 feet from the trunk of tree #3, 12 feet from the trunk of tree #4 and 12 feet from the trunk of tree #7. Tree #6 is proposed for removal and should not be included in the impact discussion. Arboricultural research discourages root severance within five times the tree's trunk diameter on any one side of the tree. In this instance, we refer to this area as the 'critical root zone.' Any excavation for the placement of the sewer line would take place outside of the critical root zones of these referenced trees and will unlikely result in significant damage to the root systems of the trees. Per the conditions of the Oak Tree Permit, the applicant is required to excavate the trench for the sewer line by hand, with the intention of threading the pipe under those larger roots (greater than 2") that are encountered, if any. Impacts to the root system will still occur but will be minimized using hand implements.

Based on the location that is currently shown on the Site Plan, dated March 4, 2016, excavation required for the installation of the water line may result in impacts to the root system of tree #5. The water line would be located approximately 14 feet from the trunk of tree #5. Tree #6 is proposed for removal and should not be included in the impact discussion. The applicant is required to excavate the trench for the water line by hand, with the intention of threading the pipe under those larger roots (greater than 2") that are encountered, if any. Impacts to the root system will still occur but will be minimized using hand implements.

As indicated in the report, any work performed within the protected zone of the oak trees approved for encroachment must be done using hand implements only and shall be performed under the supervision of the applicant's Arborist of Record. The Ordinance requires that various phases of construction adjacent to protected trees be monitored by the Arborist of Record.

Item #3 – Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.

a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?
   Response – At the time the report was prepared in 2014, the specifications of the foundation piles were limited. The 24-inch size was provided by the applicant and the impacts were based on the size provided. The applicant had indicated that shoring would not be required, but if it was determined to be necessary, thin corrugated steel would be used which would add only a few inches to the hole. A minor increase in diameter would not significantly change the overall impacts of each hole on the oak trees.

b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.
Response – As stated by the applicant in his response to Ms. Latta's review, a limited access drill rig will be used to drill the six piles for the residence. I would agree that a standard drill rig or out-reaching rig situated on top of the pad could significantly impact the canopy of the oak trees. It is not the intention of the applicant to use one of these methods.
As stated by the applicant, dump trunks will not be used and spoil will be removed with standard 5 or 10 yard dumpsters. This means of removal is feasible and should be strictly adhered to.

c. Where will materials be stored where they are not within the protected zone of any oak trees?
Response – Condition #5 of the oak tree report requires that the applicant install chain-link fencing to protect the trunks of the encroached oak trees during construction. This fencing will be required to be placed at distances from the trunks to be determined by the Arborist of Record. Condition #6 of the Oak Tree Report requires that plywood be applied on the top of the existing wood mulch over the entire pad during construction activities to minimize impacts from construction. The plywood will help distribute the weight of that equipment and vehicles within the protected zones, but will not completely prevent compaction from occurring. The mulch and plywood will have to be maintained regularly as directed by the project's Arborist of Record.

d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees?
Response – The drainage channel is small and does not likely direct heavy flows or high velocities. Per the Hydrology and Water Quality section of the Initial Study: "The project will alter the existing drainage pattern of the site and will also increase the amount of surface runoff with the addition of impermeable surface area. However, all projects must comply with all applicable NPDES requirements and the Low Impact Development (LID) standards for small-scale residential projects which include management of drainage and surface runoff. Therefore, the project is not expected to result in substantial erosion or siltation on or off-site, increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or significantly affect surface water or groundwater quality." Based on this analysis, it is unlikely that altering the drainage will impact the subject oak trees, either those near the street or those at the bottom of the slope.

e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?
Response – Of the trees that are proposed for encroachments, trees #4 and 7 will have the greatest impacts by the project design. These impacts are greater than those previously indicated in the August 2014 report. As stated in that report, the placement of the below grade wall will take place approximately four feet (to the west) of the trunk of tree #4. Based on the Site Plan, dated March 4, 2016, it is estimated that approximately 25% of the root system will be impacted by the excavation required for the placement of the wall. Since the location of actual roots is unknown until excavation occurs, actual impacts to specific roots cannot be determined at this time. Excavation should be performed under the Arborist of Record's guidance.
As stated in the August 2014 report, the placement of the below grade wall will take place approximately six feet (to the south) of the trunk of tree #7. Based on the Site Plan, dated March 4, 2016, it is estimated that approximately 27% of the root system will be impacted by the excavation required for the placement of the wall. Since the location of actual roots is

unknown until excavation occurs, actual impacts to specific roots cannot be determined at this time. Excavation should be performed under the Arborist of guidance.
The level of impacts to these trees are significant. Trees react, adjust, and compensate to physical and environmental impacts in ways we do not fully understand. As such, as arborists we are trained to not speak in certainties, but rather in probabilities and likelihood. It is my professional opinion, based on 12 years of experience, training, and judgment, that trees #4 and #7 have a good probability of surviving the described construction impacts. The amount of impacts to these trees does not guarantee that these trees will decline and die. I support to applicant's attempts to design the structure to reduce the amount of oaks trees that could have been removed if designed without any regard to the oak trees on the property. The applicant is accepting the risk by allowing these trees to remain and planning and designing around them, as opposed to simply requesting their removal. Condition #10 in the report recommends "root pruning shall be reduced to the minimum amount that is absolutely necessary. All roots pruned shall consist of clean, 90° angle cuts utilizing sharp hand tool and shall not be sealed unless directed by the County Forester. Any major roots (2" diameter or greater in diameter) encountered shall be preserved to the extent possible, wrapped in moist burlap, until the soil is replaced." Every effort will be made to avoid the removal of significant roots that are exposed and all recommendations by the Arborist of Record will be adhered to during excavation activities.

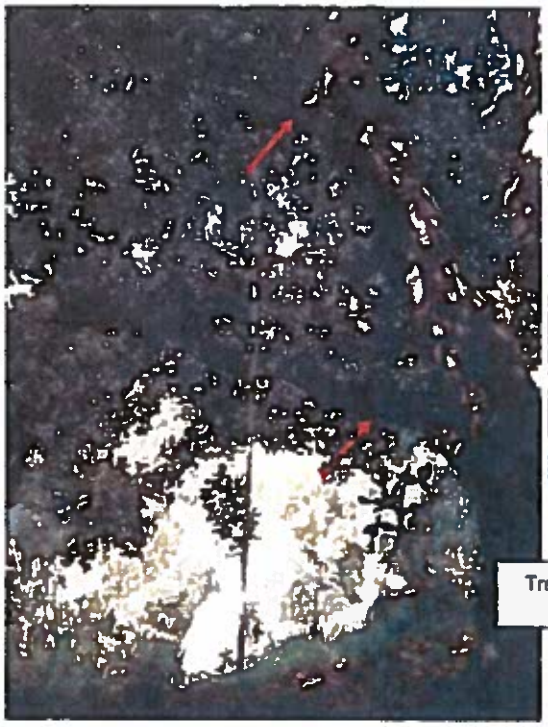
f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.

Response – Unsanctioned story poles were installed by an unknown (to me) party when I made my site visit on April 14, 2016. Although the poles are not exact, they give a clear indication of the extent of pruning that will be required for the placement of the building. Pruning to trees #4, 5, and 7 will be required to accommodate the placement of the building. Tree #4 will require the removal of the 9.5" trunk that leans west over the slope where the residence will be situated. In addition, a 6" scaffold, a 5" branch, and a 3" branch will be pruned from the western canopy. Overhanging canopy will still be present above these cuts and these cuts will not dramatically unbalance the canopy. Tree #5 will require the removal of an 8" scaffold and a 4" branch. The trunk leans south and its canopy faces a mostly southeast direction. The removal of these branches will not result in any additional unbalancing of the canopy. Tree #7 will require the removal of a 10" scaffold, 7" branch, 5" branch, and 2" branch. This tree exhibits a low branching structure and the removal of these branches will raise the canopy. Overhanging canopy will still be present above these cuts and these cut will not dramatically unbalance the canopy. Photos are included below to demonstrate those branches that will require removal.

In order to incorporate these trees into the project design, the above-described pruning is necessary. Though this amount of pruning may not be ideal, it will allow the trees to be preserved rather than removed. Pruning of the oaks will only take place during the dormant months from July through September.

Tree #4 – branches anticipated to be removed

Tree #5 – branches anticipated to be removed



Tree #7 – branches anticipated to be removed

g. There is no mention of the required 5 feet of clearance required by the fire department for the structure.
Response – I believe Ms. Latta is referring to condition #6 of the Fire Department conditions of approval. The condition states that "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." This access for foot traffic is not expected to result in the pruning of any additional canopy than is otherwise required. The only other clearance reference I am aware of is the Fuel Modification Guidelines, which state that in "Zone A: Trees should be limbed up to at least 6 feet above bare earth and a minimum of 3 times the height of underlying plants."

Item #4 – The report does not address any impacts to the heritage sized oak tree on adjacent property to the south and additional tree over protected size on their property. Although there are no heritage size trees around the building site, there are some within 200 feet of the project.
Response – We contacted the Forestry Unit of the Los Angeles County Fire Department prior to performing the oak tree inventory. We explained to the Forester that inventorying all oaks within 200 feet would be unreasonable, due to the rugged terrain and the far distance from the trees to any kind of site disturbance. In addition, the size of the development envelope was minor and the amount of grading was minimal. Forestry agreed that because of the limitations of the property, namely the access of adjacent properties and the fact that the project would be confined to that part of the lot closest to Canyon Crest Road, we would limit the inventory to those trees that are in the immediate vicinity of the proposed structure. As explained in the August 2014 report, "There are additional oak trees within 200 feet of the proposed development, but beyond the property boundary. These trees could not be surveyed due to access restrictions by the adjacent property owners and are not proposed to be impacted by the development. There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis."

Item #5 – There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2 inches of fill soil can suffocate roots and cause root decay.
Response – We were informed by the applicant that the fill soil had existed in its current state for approximately ten years. The fill was present prior to the applicant purchasing the property and the pad was being used for parking by the adjacent property owner to the north at the time of my initial site visit on May 9, 2014. I am not aware of any existing evidence of when this fill was placed. Without trying to estimate a timeframe, it appears likely that the fill has been in that state for some time. I am in agreement with Ms. Latta that "even 2 inches of fill soil can suffocate roots and cause root decay." However, in this case, all the oak trees impacted by the fill soil appear in good overall health, even after this extended period of time being buried. Upon my site inspection on April 14, 2016 (approximately 2 years later), these same trees remain in good overall health. They show no signs of stress (no dieback) and have a dense canopy. I would be leery of removing the fill soil at this point, assuming the trees have adapted and developed roots to counter the change in grade. I do recommend that a portion of the fill on the downslope sides of trees #4, 7, and 8 be removed to eliminate the "bowl" in which the trees currently sit so as to not allow water to accumulate around the base of the trunks. Constant and excessive moisture can increase the probability of disease and decay.

Item #6 – The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a

change in hydrology or drainage. Also the slope is full of large boulders that may require removal to construct the proposed pilings.

Response – A portion of the property in question became part of a Conceptualized Significant Ecological Area as defined under the Los Angeles County SEA Program on December 10, 2014. My report was prepared in August 2014, four months before the Conceptualize SEA designation was determined. In the Initial Study, the planner notes that "the project is not located in a currently mapped Significant Ecological Area."

Those oak trees that are present at the bottom of the slope, near the blue-line stream, will not be impacted by the project. The nearest oak downslope from the proposed building is approximately 170 feet away with approximately 80 feet difference in elevation. As stated earlier, the Hydrology and Water Quality section of the Initial Study states: "The project will alter the existing drainage pattern of the site and will also increase the amount of surface runoff with the addition of impermeable surface area. However, all projects must comply with all applicable NPDES requirements and the Low Impact Development (LID) standards for small-scale residential projects which include management of drainage and surface runoff. Therefore, the project is not expected to result in substantial erosion or siltation on or off-site, increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or significantly affect surface water or groundwater quality." Based on this analysis, it is unlikely that altering the drainage will impact the subject oak trees, either those near the street or those oaks at the bottom of the slope.

Item #7 – The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.

a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.

Response – As Ms. Latta stated above, "If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland." LDC's scope was to prepare an Oak Tree Report in accordance with the County of Los Angeles Oak Tree Ordinance. The Ordinance does not require an evaluation of oak trees that may fall within CEQA review. As such, my report did not address the presence of Oak Woodlands. It is my understanding that the Initial Study was prepared by County staff utilizing the findings and recommendations in my report. It is assumed that my findings and recommendations would not constitute the only information that would be used to make the determination. As such, the County staff did not indicate that the project will significantly impact oak woodlands. The Biological Resources section states the following: "The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (*Quercus agrifolia*) tree from the community for the construction of the proposed residence. The applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant." It is my understanding of the Oak Woodland Management Plan that the County planner initiates the determination of oak woodlands by communicating with the County biologist and/or Forester. A determination would later be made by the County representatives. After submittal of the August 2014 Oak Tree Report, we were never contacted by the applicant, planner, Forester or County biologist to provide any additional details regarding the status of oak woodlands on the property.

b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.
Response – The Initial Study prepared by County staff did not indicate that the project will significantly impact oak woodlands. It is my understanding that the County would request an oak woodland report if it was required. An Oak Tree Location and Impact Exhibit was prepared and included with the August 2014 report. The exhibit was prepared in accordance with the County's Oak Tree Ordinance.

Item #8 – How much notching is a slight notching for the driveway? The depth needs to be quantified.
Response – The notching of the driveway is in reference to the placement of the below grade wall below the proposed driveway. The excavation required for this below grade wall is to a maximum depth of eight feet, with the depth tapering off as it extends downslope. As previously described, impacts to tree #4 are more extensive than was previously determined and indicated in my report. As stated in the August 2014 report, the placement of the below grade wall will take place approximately four feet (to the west) from the trunk of tree #4 and six feet (to the south) from the trunk of tree #7.

It is estimated that approximately 25% of the root system of tree #4 will be impacted by the excavation required for the placement of the wall. It is estimated that approximately 27% of the root system of tree #7 will be impacted by the excavation required for the placement of the wall. Since the location of actual roots is unknown until excavation occurs, actual impacts to specific roots cannot be determined at this time. Excavation should be performed under the Arborist of Record's.
The level of impacts to these trees are significant. The applicant understands this, but at the same time, he has designed the structure to minimize the amount of oaks trees that could have been removed if designed without any regard to the oak trees on the property. Yes, trees #4 and 7 could be removed as a result of the impacts. However, the amount of impacts does not guarantee that these trees will decline and die. The applicant is accepting the risk by allowing these trees to remain and planning and designing around them, as opposed to simply requesting their removal. I support the applicant's desire to keep these oak trees. Condition # 3 in the report states: "Should any of the encroached oak trees (Trees #1-5 and 7-9, now including #10) fail as a result of the proposed project within two years of completion, the tree shall be replaced at a 2:1 ratio. Impacts that could contribute to the decline of an oak from project implementation could be direct (e.g. construction activities damaging roots or branches) or indirect (e.g. improper drainage resulting in root rot)."

Item #9 – If the driveway gets laid over the existing grade without removing soil, how will it not be several inches above grade? Vapor permeable driveways can still cause root damage and compaction unless carefully designed. What percentage of the root zones will be impacted by the driveway?
Response – The driveway is proposed to be composed of a thin layer of gravel. The gravel layer will be permeable but compaction will still result. Since the existing pad (with a layer of mulch) has been used for parking for many years, some level of compaction has already taken place. It is estimated that approximately 8% of the root zone of tree #1 will be encroached by the driveway, approximately 15% of the root zone of tree #2 will be encroached, approximately 20% of the root zone of tree #4 will be encroached, and approximately 6% of the root zone of tree #1 will be encroached by the driveway.

The applicant will be required to provide construction monitoring during the period of project construction. The extent of monitoring will be determined by the applicant's Arborist of Record.

Ms. Kristina Kulczycki
Los Angeles County Dept. of Regional Planning

April 18, 2016

I appreciate the opportunity to address Ms. Latta's questions and concerns.

If you have any immediate questions, please feel free to contact me. Thank you.

Sincerely,
LAND DESIGN CONSULTANTS, INC.

Scott McAllaster
ISA Certified Arborist, WE-7011A

Cc. Stephen Kuhn
Steve Hunter/LDC

Kristina Kulczycki

From: Randall Baer [rbaer@pacbell.net]
Sent: Sunday, April 17, 2016 4:16 PM
To: Kristina Kulczycki
Subject: R2014-02411-5 Neighbor Meeting Summary

Randall Baer

3588 Canyon Crest Road, Altadena, CA 91001 | 818 425-4462 | rbaer@pacbell.net

April 17, 2016

Kristina Kulczycki
L.A. County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Project #: R2014-02411-5
Minor CUP #201400014
Assessor's Parcel # 5830-003-016

Dear Ms. Kulczycki:

Yesterday, a group of neighbors met at the Kuhn's Canyon Crest property to discuss concerns about the proposed project. Several suggestions were made to reduce the impacts the home would have on the surrounding homes and natural environment.

The primary concerns expressed were regarding the height of the home above the loft space, the potential impacts to the oak canopy, the mass of the structure and the loss of light, views and privacy to the adjacent neighbors.

The following are notes from some of the conversations:

1. It was suggested that the applicants lower the height of their proposed loft to a height still allowing them to have storage in their garage, utilizing a pull-down stair for access rather the present stairway. This solution would allow for reduction of the roof height by eliminating the stair leading to the loft, it would also free up the space dedicated to the door accessing the stair and the stair itself for other storage possibilities. Mr. Kuhn agreed to take this into consideration.
2. Several people requested that story poles be erected in order to better understand the outline and massing of the home and have a visual tool for accurately evaluating the potential impact to the oak canopy.
3. In respect to concerns that construction processes would damage the oaks, a suggestion was made that the applicant agree that should any of the trees die, a replacement tree, of like-kind, be planted in its place.

It is our hope that some middle-ground can be reached and the applicants can move forward with a revised design that addresses the concerns of the neighbors and allows them to proceed with their plans in building a home that will be considered an asset to the neighborhood.

Sincerely,

Kristina Kulczycki

From: Kara Bjornlie [karabjornlie@gmail.com]
Sent: Saturday, April 16, 2016 8:52 PM
To: svatcc@gmail.com
Cc: Kristina Kulczycki

Dear Vandana and Stephen-

I understand you invited some neighbors to meet you this morning on your property on Canyon Crest to discuss concerns about your proposed house. Although I was not among the recipients of your invitation, I will take this opportunity to thank you for giving neighbors another opportunity to speak with you.

First, I just have to say, I simply don't understand the mind of a person who buys that lot with the intent to develop it, especially those who at the same time, claim to love Millard Canyon, or any natural canyon. While I understand your desire to live in such a setting I don't understand your wanting to exploit it. The existing development in this area was done in a different era and the damage has been done. That is why so many of us that love living on the edge of nature have taken advantage of the existing homes here. You two are extremely intelligent and enlightened and I'd think you'd sympathize with that mind set. I get it, you love nature, but raping it is not the way to show your love simply because the methods and means of doing so exist. I also don't understand the mind of a people who want to live amongst neighbors who will deeply resent them for having defied their neighborhood. I hope this recent attempt to reach out is a sign that you don't want that either.

That said, you own the lot and you have rights. I applaud your efforts and those of your architect to design such an innovative house which would be interesting to see on another lot where it wouldn't shoot clear up through canopies of multiple Oak trees, removing limbs in its path. I know that the arborist you hired would not have written that same report had he known the loft level was proposed.

I would love to see your home built without the loft level, stopping at the garage, and continuing down the slope out of the Oak canopy. I believe such a compromise would be a great gesture toward keeping the neighborhood peace and giving the Oaks and all the creatures that depend upon them a better chance…and you'd still have an amazing house.

Thank you very much for your consideration.

Your neighbor,

Kara Bjornlie

Kristina Kulczycki

From: Milissa Marona [milissa.marona@gmail.com]
Sent: Saturday, April 16, 2016 6:16 PM
To: svatcc@gmail.com; Kristina Kulczycki
Subject: RE: R2014-02411-(5) Property on Canyon Crest, Altadena

Dear Stephen and Vandana,

It was a pleasure to meet you today and I thank you for listening to your neighbor's concerns. There were several ideas brought up during the meeting for your consideration. A few are as follows:

1. If further Oak trees (less the one noted for your removal in your application) are removed during construction then it was suggested you might replace in kind and in place another tree.
2. Suggested that a major concern is the tallest height from street level. Stephen noted he would take that under consideration.

Thank you for your willingness to listen and to take these items under consideration.

Best Regards,

--
Milissa Marona
Mobile: (626)463-8190

Kristina Kulczycki

From: John Lynch [johnthearborist@gmail.com]
Sent: Friday, April 15, 2016 5:21 PM
To: svatcc@gmail.com
Cc: Kristina Kulczycki
Subject: Invitation to meet

Stephen And Vandana,

Thank you for your Invitation to meet this Saturday.

We would also like to extend an offer for you to view your proposed project site from the perspective of our patio and living room.

We would then be very interested in any creative design changes that you can offer that will reduce impacts on our canyon view and privacy.

We also share our neighbors concerns with the second level above the garage. We all believe that if you reduce the height of the structure above street level by a least half it would greatly reduce the impacts to the Oak canopy and the aesthetic of our neighborhood without sacrificing any of your livable space.

Respectfully,
John and Michiko

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 14, 2016

TO: Hearing Officer

FROM: Kristina Kulczycki KK
Zoning Permits North Section

SUBJECT: Project No. R2014-02411-(5)
Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, and Environmental Assessment No. 201400194
HO Meeting: April 19, 2016
Agenda Item: 5

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and additional encroachments into the protected zone of nine other oak trees.

Please find enclosed comment letters for the above referenced item that were submitted after the April 5, 2016 hearing.

If you need further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:KK

Enclosures: Comment letters

P: (626) 381-9248
F: (626) 389-5414
E: mitch@mitchtsailaw.com

Mitchell M. Tsai
Attorney At Law

1055 E. Colorado Boulevard
Suite 500
Pasadena, California 91106

VIA ELECTRONIC & U.S. MAIL

April 11, 2016

Kristina Kulczycki
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING (DRP)
320 West Temple Street
Los Angeles, California 90012
Em: kkulczycki@planning.lacounty.gov

RE: Canyon Crest Conservancy Comment Letter Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014.

Dear Ms. Kulczycki,

On behalf of Canyon Crest Conservancy ("**Conservancy**" or "**CCC**"), my Office is providing comments to the County of Los Angeles ("**County**") regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014 ("**Project**"). These comments are intended to supplement comments already provided to the County on March 23 and April 5, 2016.

CCC is a group of concerned Altadena residents who are dedicated to open spaces and quality of life in the Canyon Crest area.

On April 5, 2016, the County conducted a public hearing on the Project ("**Hearing**") as Agenda Item No. 10 ("**Item**"). At the Hearing, the County opted to continue the Item until April 19, 2016 at 9:00 a.m. for the Project's applicant, Steven Kuhn ("**Applicant**"), to submit additional information regarding the Project's arborist report.

CCC supports the County's decision to continue the Item and give additional consideration to this Project as CCC believes that there are serious factual issues surrounding the Project. However, CCC believes that the April 19, 2016 date is insufficient to allow the County sufficient time to review the factual issues. Instead, CCC requests that the County require the Applicant to submit additional documents by April 19, 2016 and give the public time to review the documentation and hear the Project on or about May 10, 2016.

Moreover, CCC believes that in addition to an amended arborist report, the County should request that the applicant erect story poles to demonstrate that their Project will be able to comply with the conditions of the County Fire Department permit as well as Oak Tree Permit and submit an Oak Woodlands report to demonstrate that the Project will not have a significant impact on oak woodlands.

The public has raised serious concerns about the factual accuracy and credibility of the Project's application materials. In particular, at the Hearing, the Applicant admitted on the record that the Project's arborist and geotechnical report were based upon outdated building plans. Moreover, testimony and a written report submitted by professional arborist Rebecca Latta demonstrated that there are serious factual inaccuracies and omissions in the Project's arborist report, enough to prompt the County to continue the Hearing to allow for additional fact-finding on the Item.

CCC believes that based upon these concerns, that the County has not adequately evaluated the Project's impact on fire safety, oak woodlands, as well as compliance with local building and zoning codes. CCC believes that the County should reevaluate whether the Project will be able to comply with the County Fire Department's proposed Conditions of Approval and the County's proposed Oak Tree Permit as conflicting conditions between the two proposed permits appear to make compliance impossible, reevaluate the Project's proposed Oak Tree Permit as it appears that the Oak Tree Permit is based upon an inaccurate and outdated arborist and geotechnical report, and reevaluate the Project's compliance with the Altadena Community Standards, Co. Code § 22.44.3127.

I. THE COUNTY SHOULD REEVALUATE THE COUNTY FIRE DEPARTMENT'S CONDITIONS OF APPROVAL.

On February 3, 2015, the County Fire Department imposed a number of conditions of approval on the Project. Fire Prevention Division, County of Los Angeles Fire Department: (2015) Conditions Of Approval ("**Fire Conditions**"). Condition No. 4 provides that the Project must "[p]rovide a minimum unobstructed width of 20 feet . . . 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 . . . ," with the exception of protected tree species which only require a "minimum vertical clearance of 13 feet 6 inches." Fire Conditions at 1.

Professional arborist Rebecca Latta testified at the Hearing that it would be difficult for the Project to comply with these Fire Conditions without either removing significantly more than just 1 oak tree or pruning more than 20% of the oak canopy and branches more than 2 inches in width, all conditions of the Project's proposed oak tree permit. The Project's proposed rooftop comes well within 13 feet of the oak canopy of the Project Site.

The County should require the Applicant to demonstrate that they can realistically go forward with this Project without violating either the County Fire Code or Oak Tree Permit. CCC requests in particular that the Applicant be required to place "story poles" on the Project Site to demonstrate where and how the Project will interact and require removal and pruning of the oak canopy and demonstrate that the Project will be able to comply with the proposed County Fire Code and Oak Tree Permit. Given the serious factual inaccuracies and omissions in the arborist report, the County should not approve this Project without adequate proof that the Project will be able to comply with the conditions of approval.

II. THE COUNTY SHOULD REEVALUATE THE PROJECT'S PROPOSED OAK TREE PERMIT.

The County should reevaluate the Project's proposed oak tree permit as it is based upon an inaccurate arborist and geotechnical report. At the Hearing, the Applicant admitted on the record that the Project's arborist as well as geotechnical were prepared based upon different building plans than is now proposed. The County should request that the Applicant resubmit a new arborist and geotechnical report based upon the current building plans.

Moreover Ms. Latta's testimony and accompanying report at the Hearing shows that there are a number of significant inaccuracies and omissions in the Project's arborist report. In particular, Ms. Latta noted that the Project's arborist report analyzes a different, much smaller project, fails to analyze all oaks within 200 feet of the construction area, does not note the location of surface drainage system, does not address proposed changes in grade and their impact on protected oaks, and does not analyze the impact of the Project's fill compaction, pilings, grading, and installation of non-permeable surfaces, including concrete transition slab installation, will have on oak trees. Letter from Rebecca Latta to Kristina Kulczycki, Senior Regional Planning Assistant, LA County Regional Planning (Mar. 30, 2016). Ms. Latta concludes that in her opinion the Project does not meet the burden of proof required by the County's Oak Tree Protection Ordinance, Co. Code § 22.56.2050 ("**Oak Tree Protection Ordinance**" or "**Ordinance**"). The County should do a thorough reevaluation and verify the accuracy of the Project's arborist report before potentially moving forward with the Project.

III. THE COUNTY SHOULD REEVALUATE THE PROJECT UNDER THE COUNTY'S OAK WOODLANDS CONSERVATION MANAGEMENT PLAN.

The Project's environmental documents and mitigation plans do not evaluate the Project's impact to Oak Woodlands. While the County has considered and proposed an oak tree permit under the County's Oak Tree Protection Ordinance, the Project has not been evaluated for consistency with the County's Oak Woodlands Conservation Management Plan. County of Los Angeles (2014) Oak Woodlands Conservation Management Plan Guide ("**Oak Woodlands Conservation Plan**" or "**Conservation Plan**"). A Project may be subject to the differing mandates of both the County Oak Tree Ordinance and Conservation Plan at the same time. Conservation Plan at 3.

The Oak Woodlands Conservation Plan applies to Projects that will encroach upon two or more oak trees of at least five inches in diameter within an oak woodland. Conservation Plan at 4. The Conservation Plan defines an oak woodland at "an oak stand, including its understory, which consists of two or more oak trees of at least five inches in diameter measured at 4.5 feet above mean natural grade with greater than 10 percent canopy cover . . . ." The County admits that the Project Site is on an oak woodland. County of Los Angeles (2016) Staff Analysis 1 ("**Staff Analysis**"). The staff's conclusion that the Project is proposed within an oak woodland is verified by Ms. Latta's testimony at the Hearing and accompanying report.

However, the Project does not comply with the Oak Woodlands Conservation Plan process. The Conservation Plan requires that the County prepare an Oak Woodlands Report to determine if the Project will have a significant impact on oak woodland. The Project has no oak woodlands report, merely an oak tree report that does no analysis on the Project's potential impact to oak woodland habitat.

Moreover, Ms. Latta's testimony and report demonstrate that the project will result in a substantial impact on oak woodland, as it will result in both the loss of individual oaks as well as a loss of net acreage of oak woodland, a little more than one acre. The County should reevaluate the Project for consistency with the Oak Woodlands Conservation Plan.

IV. THE COUNTY SHOULD REEVALUATE THE PROJECT'S COMPLIANCE WITH THE ALTADENA COMMUNITY STANDARDS.

As CCC's April 4, 2016 letter noted, the Project does not comply with the Altadena Community Standards maximum height and floor requirements. CCC would simply like to add that County staff up until very recently agreed with this position. On June 18, 2015, County planner Troy Evangelho informed the applicant that "your garage loft and lower floor office are both considered an additional story. Therefore your house is greater than two stories and will need to be redesigned." Letter from Troy Evangelho, AICP, Zoning Permits East Section, Los Angeles County Department of Regional Planning to Steven Kuhn RE: Incomplete Application: Request For Additional Information (June 18, 2015). No significant changes to the Project's design has occurred since June of last year.

E-mail communications from County planner Kristina Kulczycki reflects the fact that current County staff also believes that the Project exceeds the maximum floor and height limits of the Altadena Community Standards. As Ms. Kulczycki stated to the Applicant in an e-mail on July 9, 2015, "If you are okay with considering the building to be three stories in height, you can go straight to a CUP to modify this development standard and I can start noticing the CUP and Oak Tree Permit for hearing instead of the MCUP." E-mail from Kristina Kulczycki to Stephen Kuhn (July 9, 2015) FW: R2014-02411. The Applicant rejected the advice of the County and opted to continue to exempt the first and second floors of the four-level structure, for political expediency stating:

> I think I would rather not go the route of getting a CUP [(Major Conditional Use Permit)] to Altadena standards. There seems more discretion on the part of the town council to deny. I would rather frame the project as fitting completely within the bounds of the standards, which I think it does.

Email from Stephen Kuhn to Kristina Kulczycki (July 9, 2015). The Project *easily exceeds* the Altadena Community Standard's maximum height and floor requirements by *nearly double the amount of each.* Approving the Project as a minor conditional use permit would render the Altadena Community Standards virtually meaningless and allow developments to building a virtually unlimited amount of floors as long as they classify the additional floors as "cellars." The County should not opt to approve

the Project as a minor conditional use permit simply to appease the applicant, avoid political scrutiny, and deny the public adequate review of the Project.

V. CONCLUSION.

A number of important factual and legal issues remain to be resolved with regards to this Project. CCC urges the County to continue the hearing date in order to allow County Staff and the public adequate time to evaluate this Project.

Sincerely,

_____

Mitchell M. Tsai
Attorneys For Canyon Crest Conservancy

Attachments

Fire Prevention Division, County of Los Angeles Fire Department: (2015) Conditions Of Approval (attached as Exhibit A);

Letter from Rebecca Latta to Kristina Kulczycki, Senior Regional Planning Assistant, LA County Regional Planning (Mar. 30, 2016) (attached as Exhibit B);

County of Los Angeles (2014) Oak Woodlands Conservation Management Plan Guide (attached as Exhibit C); and

Letter from Troy Evangelho, AICP, Zoning Permits East Section, Los Angeles County Department of Regional Planning to Steven Kuhn RE: Incomplete Application: Request For Additional Information (June 18, 2015) (attached as Exhibit D);

E-mail from Kristina Kulczycki to Stephen Kuhn (July 9, 2015) FW: R2014-02411 (attached as Exhibit E); and

Email from Stephen Kuhn to Kristina Kulczycki (July 9, 2015) (attached as Exhibit F).

EXHIBIT A

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

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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.

Reviewed by: Wally Collins Date: February 3, 2015

EXHIBIT B

Rebecca Latta Arboricultural Consulting

359 North Westridge Avenue, Glendora, CA 91741 (626) 272-8444
rlattaconsulting@gmail.com Certified Arborist #WE4264A

March 30, 2016

Kristina Kulczycki
Senior Regional Planning Assistant
LA County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena. (REVISED)

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

Dear Kristina,

As requested, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from Jay Lopez to Jeantine Nazar dated December 3, 2014. I was surprised that the report missed many proposed impacts, did not include all the oak trees on the site and neglected to discuss the blue line stream and Riparian oak woodland habitat.

Quick Summary:

- ***The property contains a significant ecological area and that can be defined as an oak woodland.*** Species found on the site include coast live oak, canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lot has sycamore and scrub oak.
- ***The soils engineering report recommends removing all vegetation, debris, existing fill and disturbed terrace on the flat areas to receive compacted fill to a rate of 90% (page 12).*** Compaction can physically damage tree roots and prevent infiltration of water and nutrients. Plants need compaction less than 65 to 70%. These impacts are not considered in the tree report.
- ***The LDC oak tree report analyzes a much smaller project than the current proposed project.*** The walls on the plans are 24-feet and 18-feet, but the report only discusses one proposed 5-foot retaining wall. The structure is proposed to be over 31 feet tall, but the adjacent trees are lower than that height. The report does not quantify impacts, only discusses impact distances from tree trunks. ***In my opinion, trees #4, 5 and 7 may need to be removed to construct the proposed project from the combined impacts of grading and construction activities. Trees #1, 8 and 9 will have significant grading impacts.***

- ***The oak tree report does not meet the requirements of the code.*** The submittal for the project does not comply with Section 22.56.2090. (1) The location of oak trees within 200 feet of construction are not shown or discussed; (2) the location of surface drainage systems are not shown on the tree map and; (3) the proposed change in grade within the protected zone of each plotted tree is not specified.

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10. That is not the case, however, since foundation pilings are within the protected zone and the tree is adjacent to a large boulder that may need to be removed.
2. Sewer line and water line construction impacts are not mentioned in the oak tree report. ***Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.***
3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.
    a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed? Where will they store the steel prior to installation on the site without impacting tree protection zones?
    b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.
    c. Where will materials be stored where they are not within the protected zone of any oak trees?
    d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees? Isn't that a jurisdictional drainage?
    e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?
    f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? **I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.**
    g. There is no mention of the required 5 feet of clearance required by the fire department for the structure.
4. There is a 20-foot high retaining wall mentioned in the Geotechnical report dated April 2014. The oak tree report does not discuss the extent of the wall or how backfill will be added

without smothering tree roots. The report also does not have any graphics showing how the fill would interface with the protected zone of oak trees.

5. The report does not address any impacts to the heritage sized oak tree on adjacent property to the south, east and west and additional trees over protected size on their property. Although there are no heritage size trees on the property, there are some within 200 feet of the project.

   There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2-inches of fill soil can suffocate roots and cause root decay. At some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones [1] of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops.

6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage. Also the slope is full of large boulders that may require removal to construct the proposed pilings.

[1] The protected zone is defined as the dripline plus 5 feet in the County oak tree ordinance.

Photo from the bottom of the canyon from the adjacent property to the south – downslope of the project.

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.
    a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.
    b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.

In my opinion, the applicant has not met the Burden of Proof as required in the LA County Oak Tree Ordinance Section 22.56.2100 because they are unable to prove that the construction will not endanger the health of the remaining trees on the subject property.

Please let me know if you have any questions.

Sincerely,

Rebecca Latta

Rebecca Latta
Consulting Arborist, Horticulturalist
626 272-8444 cell
rlattaconsulting@gmail.com
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists

Canopy covered flat pad where construction activity will occur – where will the crane fit? How will the steel be stored?

Drainage that leads to blue-line stream. Applicant plans to build house on top of drainage.

Measuring tape showing depth of fill soil on oak adjacent to flat pad.

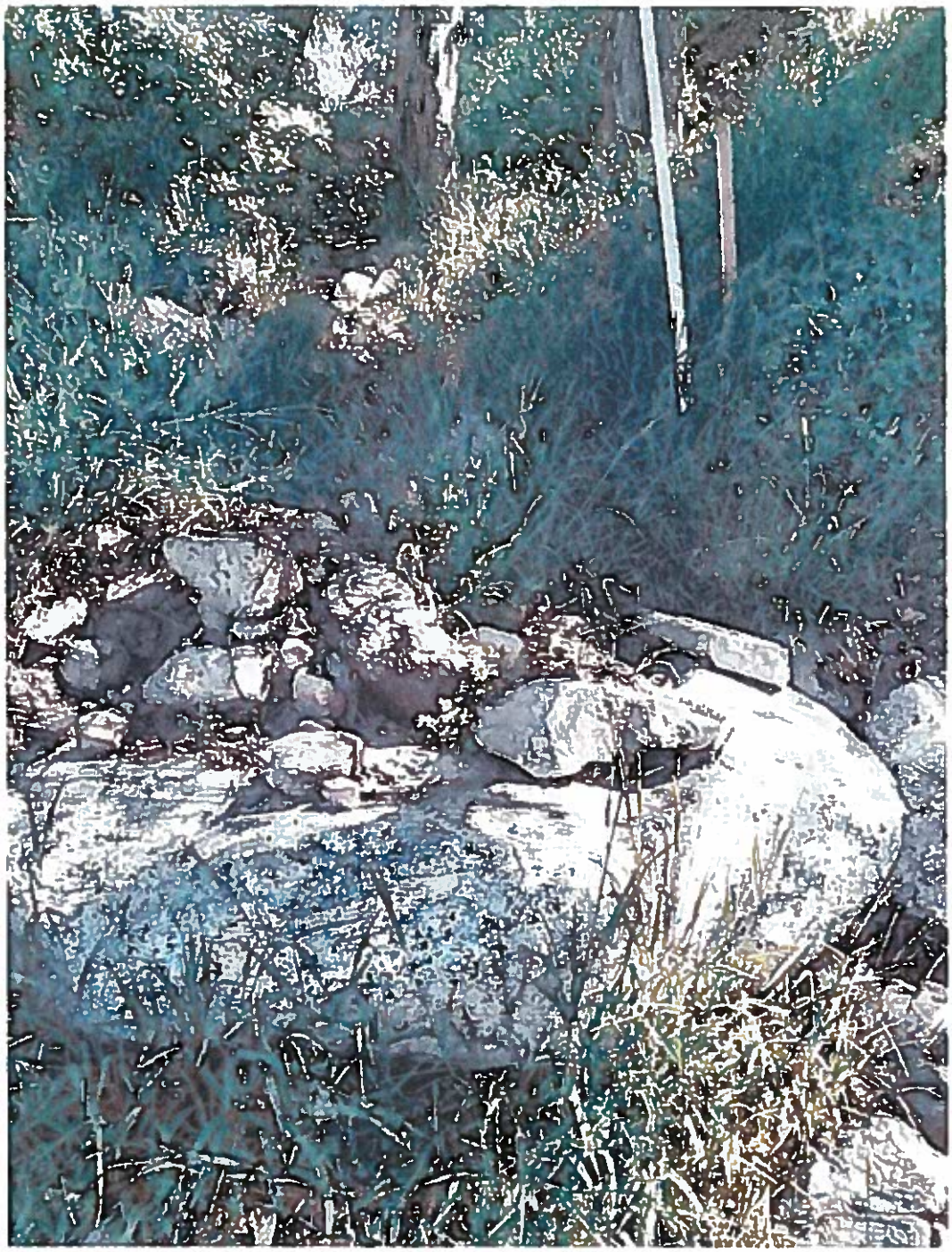
Photo from the flat pad looking south toward the proposed building site.

Photo looking west from the flat pad

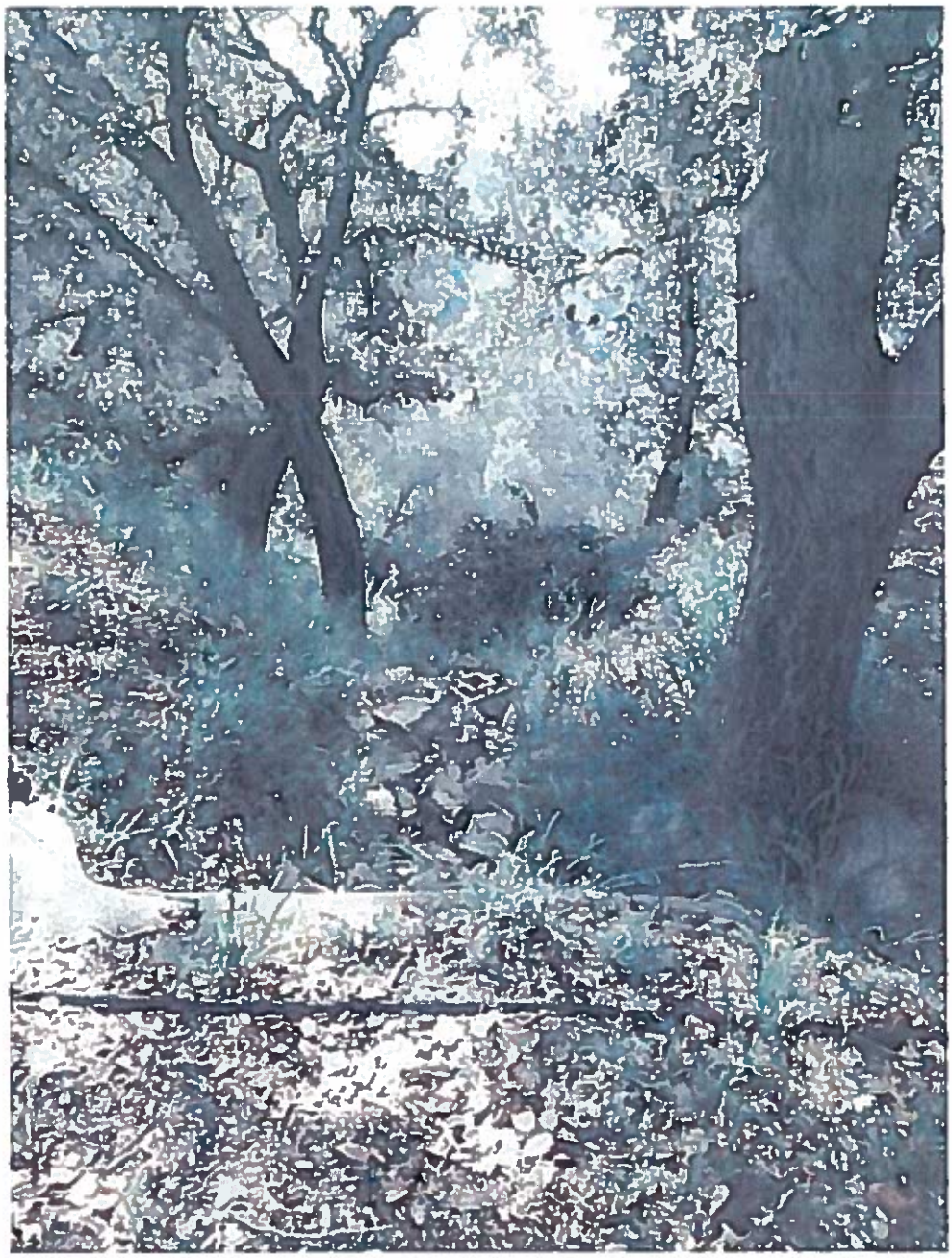
Photo looking east from the flat pad toward the street and the drainage

Fill soil on root zone

Large granite boulder that may need to be removed under the building site



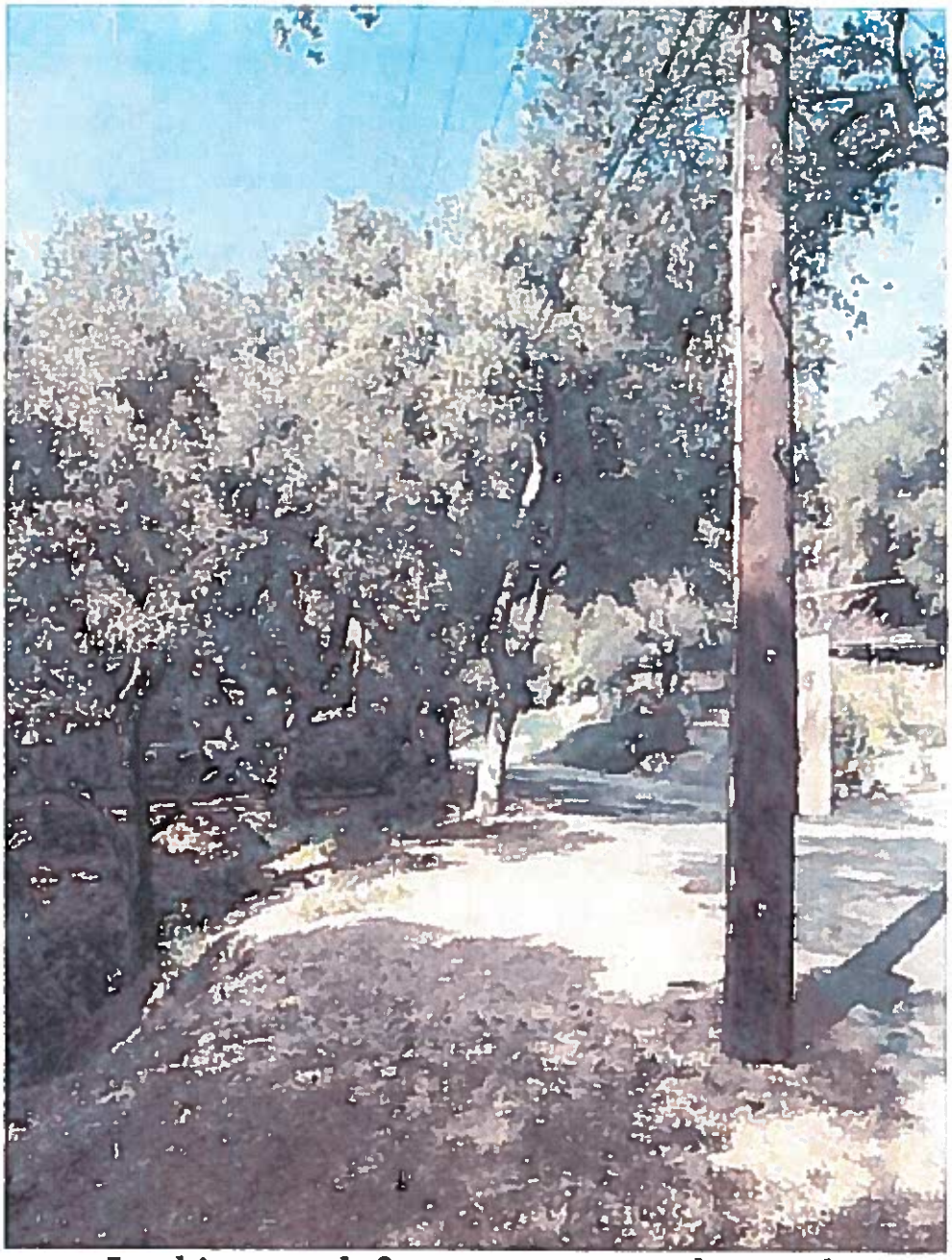
Granite rocks that may need to be removed



Drainage channel leading to canyon

Estimated height of structure is over 31 feet and taller than pole
(see 20 foot PVC pipe)

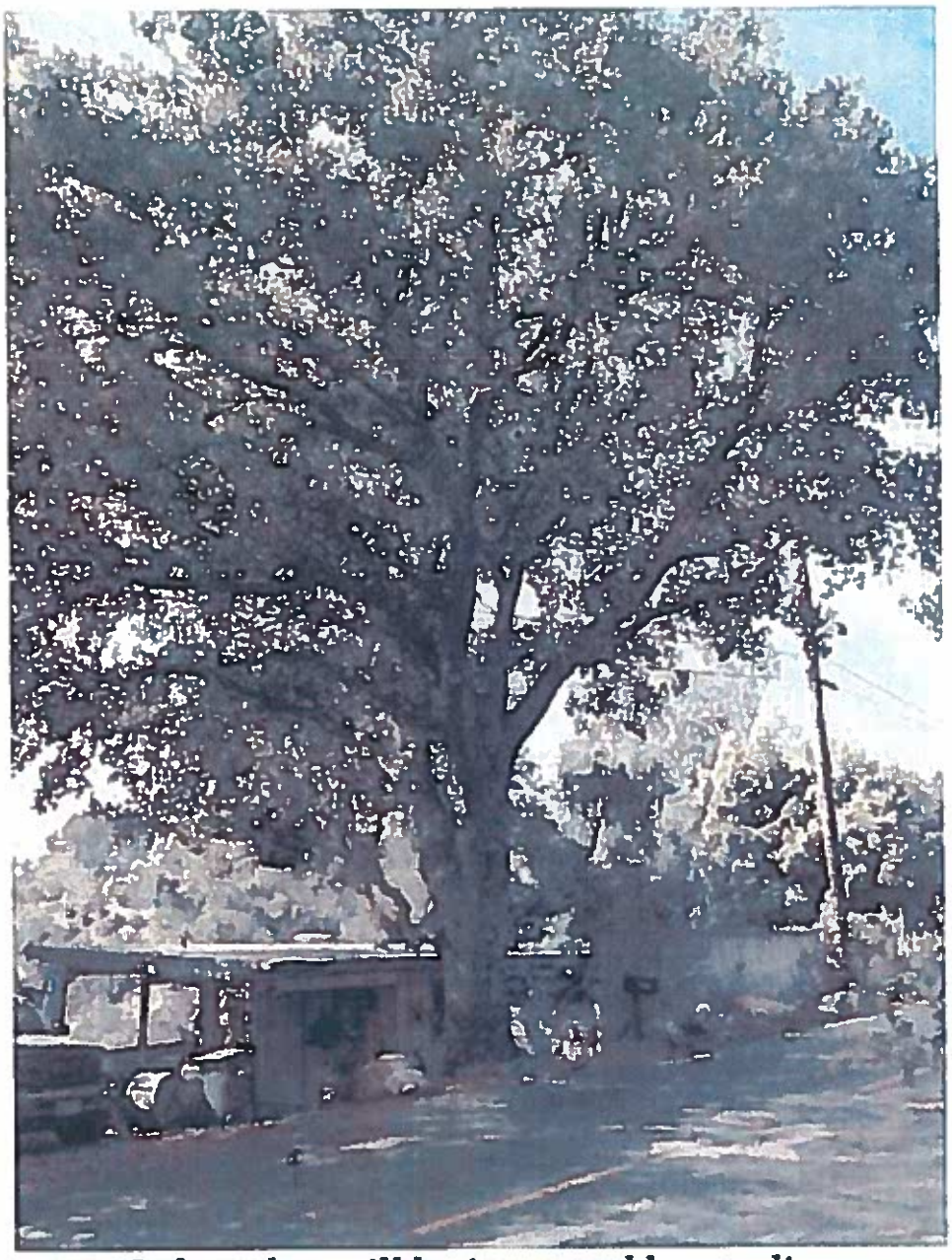
Oak trees from flat area to south of property



Looking north from property to the south

Trees buried in fill looking west

Steep slope where house is proposed

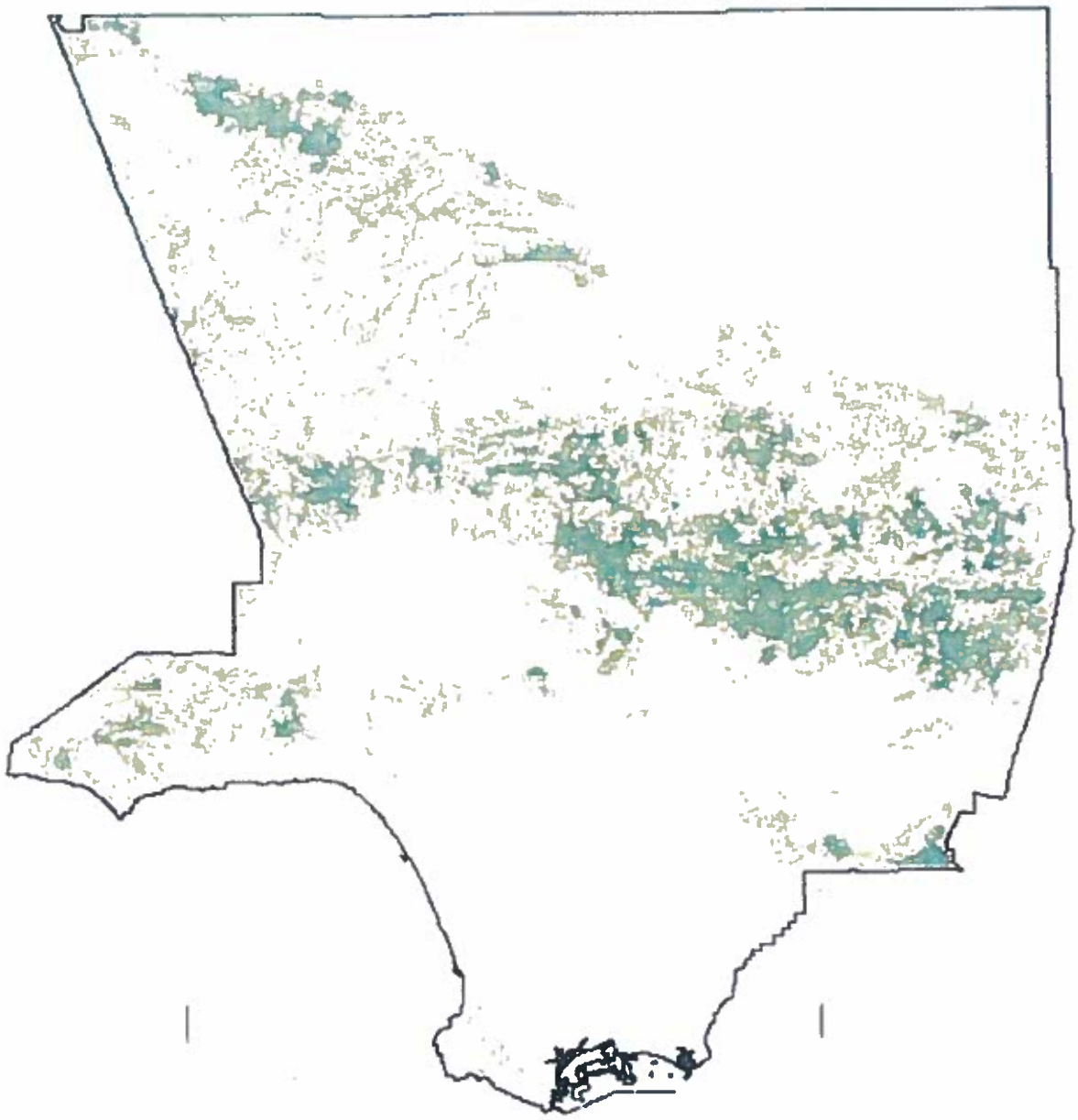


Oak #1 that will be impacted by grading

EXHIBIT C

LOS ANGELES COUNTY

OAK WOODLANDS CONSERVATION MANAGEMENT PLAN GUIDE



March 18, 2014

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BACKGROUND

On October 7, 2001, the Governor approved the California Oak Woodlands Conservation Act (AB 242) which requires that Los Angeles County (County) develop an Oak Woodlands Conservation Management Plan (Plan) to qualify for funding to preserve oak woodlands through the State of California's Oak Woodlands Conservation Fund (Fund). Accordingly, the County Board of Supervisors adopted Motion 95-C on October 7, 2008, which directed the Resource Conservation District of the Santa Monica Mountains (RCD) to develop such a plan. The RCD assembled a group known as the Oak Woodlands Habitat Conservation Strategic Alliance (Alliance), consisting of biologists, arborists, environmentalists, foresters, planners, Building Industry Association representatives and academics. The Alliance completed the Plan in May 2011 and the Board of Supervisors adopted Part 1 of the Plan on August 23, 2011.

As of January 2005, California Public Resources Code Section 21083.4 (2004 Senate Bill 1334) requires that when a county is determining the applicability of the California Environmental Quality Act to a project, it must determine whether that project "may result in a conversion of oak woodlands that will have a significant effect on the environment." If such effects (either individual impacts or cumulative) are identified, the law requires that they be mitigated. Acceptable mitigation measures include, but are not limited to, conservation of other oak woodlands through the use of conservation easements and planting replacement trees, which must be maintained for seven years. One notable exemption to this law is for the "conversion of oak woodlands on agricultural land that includes land that is used to produce or process plant and animal products for commercial purposes."

INTRODUCTION

The main goal of the Plan is to preserve and restore oak woodlands so they are conserved in perpetuity with no net loss of existing woodlands. There are three important objectives of the Plan: prioritize the preservation of oak woodlands, promote conservation by integrating oak woodlands into the development process in a sustainable manner and effectively mitigate the loss of oak woodlands. The Plan implements these objectives through a series of recommendations that are grouped in the following categories:

Alterations to the County's development and environmental review process;
Revisions to the process by which County agencies address impacts to oak woodlands;
Expansion of goals and policies contained in the County's General Plan;
Changes to the County Zoning Code; and

Long range implementation and monitoring efforts.

This guide focuses on the first two categories of recommendations and does not include revisions to Title 22 or a new permit type. The main changes to the existing permit and environmental assessment processes are in the form of a revised Environmental Assessment Questionnaire, additional site plan requirements, a required oak woodland report, prioritized mitigation measures and improved mitigation monitoring. This document is intended to implement portions of the Plan and to be a resource to assist County staff when processing development applications for discretionary projects that are not exempt from CEQA and that may impact oak woodlands. The guide is organized into the following four sections: definitions, application procedures, case processing, project mitigation and mitigation monitoring.

DEFINITIONS

Oak tree is defined by the plan as "*all native trees of the genus Quercus. This includes small shrubby oaks typically clustered on slopes, as well as individual large oaks that are naturally widely distributed across the landscape. Under California state law, oaks [that are part of a woodland] greater than 5 inch diameters at breast height (DBH) are also protected* (California Public Resources Code 21083.4a)." (Plan page 28)

Oak stand is defined by the plan as "*a group of similar [oak] trees growing in a contiguous pattern, having sufficiently diverse age-class distribution, composition and structure, and growing on a site of sufficiently uniform quality that it is distinguishable as a unit. Stands are a basic physical unit of vegetation in the landscape and do not have a set size.*" (Plan page 29)

Oak woodlands are defined by California Department of Fish and Wildlife Code Section 1361.h and by the Plan (page 28) as "*an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.*" This document interprets the Plan's definition of an oak woodland (pages 28-29) as an oak stand, including its understory, which consists of two or more oak trees of at least five inches in diameter measured at 4.5 feet above mean natural grade, with greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover as early as January 1, 2005 (effective date of California Public Resources Code Section 21083.4). The following figures depict how the Plan (pages 49-50) identifies oak woodlands and calculates relative canopy cover.

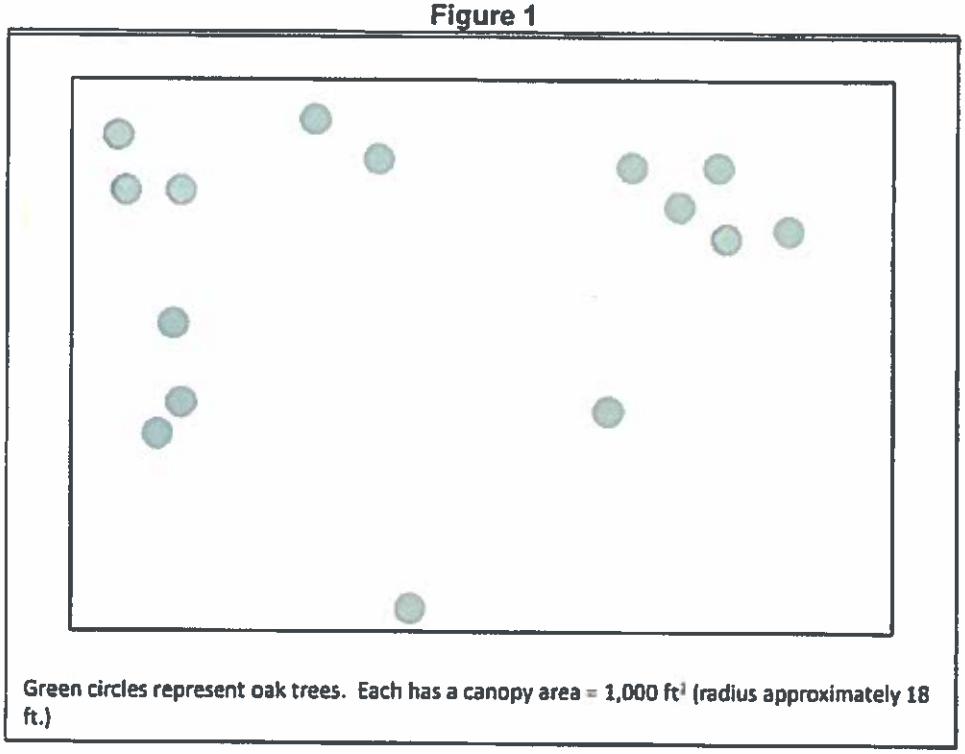
Oak Savanna is lightly wooded grassland, with oaks as the dominant tree species. The canopy cover of an oak savanna may often be less than 10 percent and therefore oak savannas are not necessarily subject to California Public Resources Code Section 21083.4. Nevertheless, some types of oak savanna are considered sensitive by the California Department of Fish and Wildlife (CDFW), and these are given consideration as sensitive natural communities under CEQA (see the CDFW Natural Communities List and CEQA Guidelines Appendix G).

OAK WOODLAND VS OAK TREE PROTECTION

The Oak Tree Ordinance (Section 22.56.2050 of the Los Angeles County Code) is intended to protect individual trees while the Plan and State law referenced in this document are intended to protect oak woodlands. A project may be subject to both the Ordinance and Plan requirements. See applicability matrix on the following page.

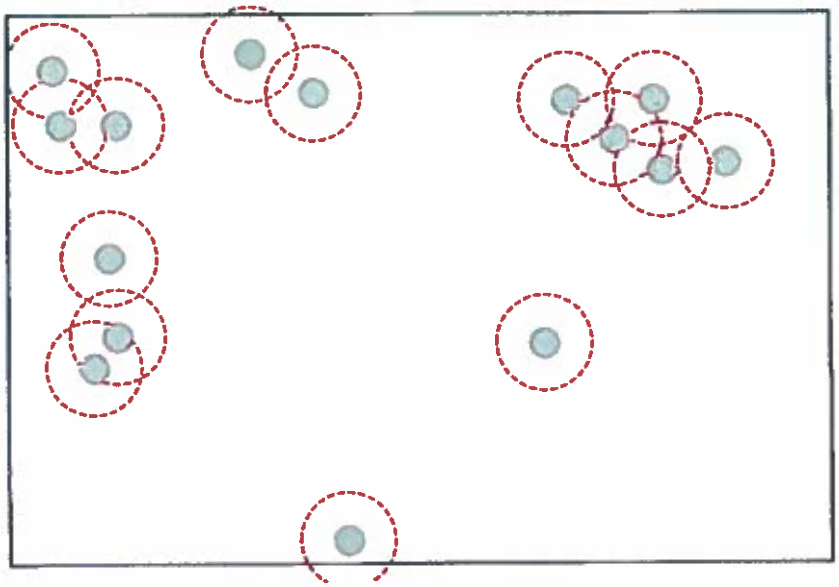
Criteria	Plan	Ordinance
Number of Removed or Encroached Trees:	Two or more.	At least one.
Tree Size:	At least five inches in diameter.	At least 8 inches in diameter.
Sphere of Influence /Encroachment Zone:	Ten times the canopy area.	Five feet from the drip-line or 15 feet from the trunk, whichever is greater.

Figure 1



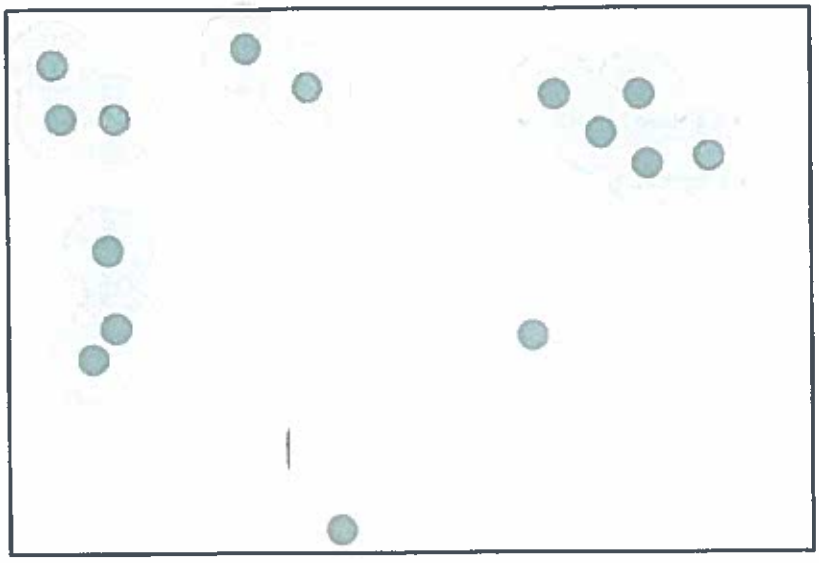
Green circles represent oak trees. Each has a canopy area = 1,000 ft^2 (radius approximately 18 ft.)

Figure 2



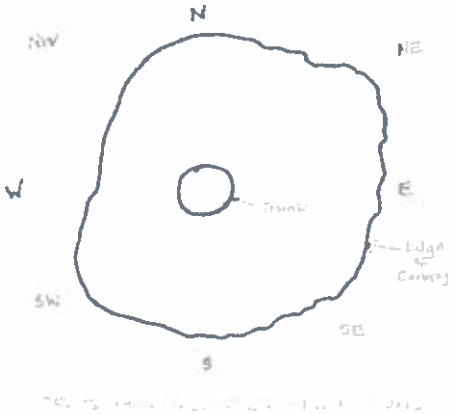
Red circles are 10 times larger (i.e. radius is ~3.2 times larger) than the canopy area (10,000 ft^2, radius approximately 56 ft.) and represent the area of which the oak tree occupies 10%.

Figure 3



Where 10X areas overlap, these are stands of oak trees, each having 10% or greater relative cover of oak tree canopy (**WOODLAND**). Where there is no overlap, these are isolated trees (**NOT WOODLAND**).

Figure 4

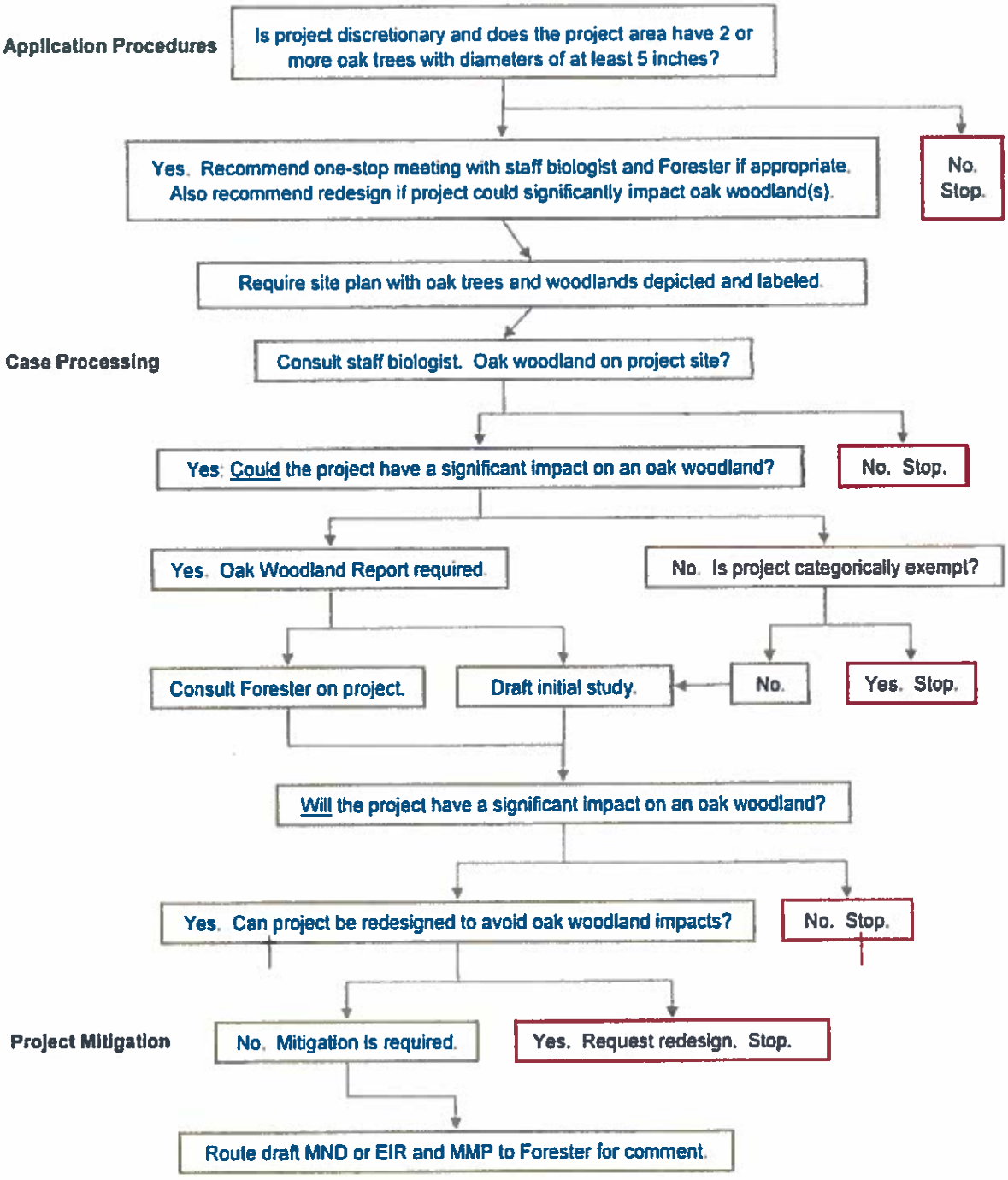


How to measure canopy:

1. Take 8 measurements from the center of the trunk one in each direction as shown on drawing. Trunks should be located accurately using GPS. Accuracy should be high. Reconcile trunk locations with aerial photographs.
2. Draw canopy as shown. Trunk should also be shown at actual size (to scale).
3. When canopies overlap, show the canopy underneath as a dashed or lighter line.
4. Draw canopies using a dark or thicker line so that they can be seen easily on the drawings.
5. The scale of drawing should be 1":20' or 1":30' to give enough detail.
6. Accurate tree canopy and trunk locations should be overlaid on site and construction drawings.

PROCESS OVERVIEW

Note: This chart is a summary. For details, see relevant sections of the guide, to which this page is hyperlinked. Use the Document Map to return.



APPLICATION PROCEDURES

In order to expedite the review process and avoid mitigation, staff should communicate to the applicant as early as possible that avoidance of impacts to oak woodlands is the preferred alternative project option. If determined appropriate, Staff should recommend a pre-application counseling meeting (One-stop) that includes the staff biologist and County Forester.

In addition to other required application materials, the applicant shall submit the following items:

A completed Environmental Assessment Information Form which will require the following information: disturbance history of the project site (such as fires or grazing), number of trees and their location on the site, whether any trees have been removed or pruned since January 1, 2005, and whether the area within the 10 percent sphere of influence of the canopy is developed.

A site plan that includes:

- Oak trees with a diameter of five or more inches (measured four and one half feet above mean natural grade) depicted, trunk diameters labeled, and ten times the canopy area of each oak tree depicted and labeled and;
- Oak trees with a trunk diameter of eight inches or greater shall have the 5-foot radius outside of all tree drip lines depicted and labeled.

Include off-site oak trees located within 200 feet of the property boundary. If a tree has multiple trunks, label the diameter of the largest trunk.

CASE PROCESSING

Determination

1. For any discretionary project with two or more oak trees on site, the case planner should consult with the staff biologist to determine if the project is located in an oak woodland and may impact the woodland. Consultation would typically occur after the case has been assigned to a planner but it could also take place earlier in the process. The staff biologist should be consulted even on projects that may initially be considered categorically exempt from CEQA because if there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, a categorical exemption may not be used according to State of California Public Resources Code Section 15300.2.c. If the staff biologist determines that an oak woodland is located on the project site, the staff biologist will likely recommend that the case planner request a oak woodland report (OWR) from the applicant. The OWR must be completed by an "individual with expertise acceptable to the director and the County Forester," be certified to be true and correct and include:

   A description of the baseline condition of the oak woodland, including the species of oak trees present, the density of trees (number/acre), a demographic assessment of the trees (e.g. size or age range and the proportion of trees in young, mature, and declining classes), the vegetation type of the understory (e.g. scrub, grass/herb, barren, ornamental, etc.), the presence or potential use of the site by special-status species, and the spatial relationship to other woodland stands in the vicinity (e.g., immediately adjacent and fully integrated, isolated by urban development, etc.);

   A determination of the habitat value/integrity of the woodland (See Table 1);

   An analysis of impacts to the oak woodland and their severity (See Tables 2 and 3);

An analysis of recreational or aesthetic value of the woodland based on the presence of trails, location within a viewshed visible from parks or scenic highways, etc; and

An analysis of alternative project options that includes an explanation of why avoidance of the oak woodland was not feasible.

Impact of introduced pests and disease on the oak woodland.

A summary of ecosystem services provided by oak woodlands as described by the Plan and how those services may change with development of the proposed project.

It is recommended that consultants writing an OWR report use the Plan as a resource. It has a wealth of information that is useful in the preparation of an OWR.

Project Consultation

2. The case planner will consult with the County Forester on the project by routing relevant application materials that include the OWR, site plan, and environmental questionnaire to the County Forester for review.
3. The County Forester, upon receiving the consultation request, will inspect the project site and oak trees, review the report and site plan for adequacy and recommend project conditions.

Environmental Assessment

4. The case planner in conjunction with the staff biologist will answer the following initial study (IS) questions in the Biological Resources and Mandatory Findings of Significance sections that pertain to project and cumulative impacts to oak woodlands:

IS Question 4.b: Does the proposed project have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?

This question relates to natural communities listed as sensitive by the CDFW, and does not necessarily extend to all oak woodland types as identified by Section 21083. To answer this question, consult the staff biologist and the 2010 CDFW Natural Communities List, available at http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_list.asp. The list provides sensitivity rankings for all named community types; other types may also be considered sensitive (as indicated by an asterisk) or may not yet be inventoried.

IS Question 4.e: Will the project convert oak woodlands…or otherwise contain oak or other unique native trees?

To answer this question, provide a baseline description of oak woodlands that fits this definition found on the site, including the following information: the species and density (number/acre) of oak trees present; demographic assessment of the trees (e.g. size or age range and the proportion of trees in young, mature, and declining classes); vegetation type of the understory (e.g. scrub, grass/herb, barren, ornamental, etc.); presence or potential use of the site by special-status species; and the spatial relationship to other woodland stands in the vicinity (e.g., immediately adjacent and fully integrated, isolated by urban development, etc.). Additionally, assess whether the project will exceed the threshold for significance for impacts to oak woodlands. Use Table 1 to establish the baseline, then

Tables 2 to determine impact severity and finally Table 3 to determine level of significance.

Table I – Existing Conditions

Woodland Integrity:	Intact	Moderately Degraded	Severely Degraded
Existing Conditions:	Site is currently in a "wild" state where all ecological functions such as groundwater infiltration, shade, habitat, nutrient cycling, carbon sequestration, wind/noise/dust abatement, and the stand is self-sustaining and regenerating. Understory of grasslands may be dominated by invasive exotic grasses and forbs. Fire exclusion or frequency may have altered native woodland. Woodland supports associated flora and fauna and are free from destructive land practices that limit long-term persistence.	Even though the site has been altered, oak woodlands persist and retain some of their functions. Natural regeneration is possible, wildlife use still occurs, and some level of ecosystem services is still present. The majority of oak woodlands in the County fall within this category.	Site has been drastically altered from the natural condition to accommodate residential, commercial or industrial uses, and oak woodlands remain in scattered locations. Natural regeneration is not possible. Soil is compacted, contaminated or paved. Wildlife habitat is limited and associated understory vegetation has been replaced by managed non- native landscaping.
Examples:		Golf courses intermixed with fragmented oak woodlands, many of the subdivisions and urban wild land interface areas found in the Santa Monica Mountains, Santa Clarita Valley, along the foothills of the San Gabriel Mountains and throughout the Puente Hills.	Small clusters of oaks within or surrounding parking lots, isolated small stands in parks or open spaces surrounded by urban development, or woodlands remaining along freeway corridors.
Recommendation:	Projects that would alter the oak woodland should receive the highest level of scrutiny. Project alternatives that would avoid this alteration should be fully explored and given first consideration.	Project needs to be reviewed within the context of preventing further ecosystem function losses. This could include reduction of project scale, adjusting project footprint to reduce impacts, identifying opportunities to preserve connectivity, increase groundwater retention, and restore habitat.	Site should be reviewed within the context of adjacency to other oak woodland stands, potential for restoration and the potential to restore connectivity and ecosystem functions. A Severely Degraded site may be a good choice for a mitigation area that could be restored.

Table 2 – Impact Severity

Impact Severity	Intact Woodland	Moderately Degraded Woodland	Severely Degraded Woodland
Low:	Minimal disturbance to stand structure and composition and habitat features resulting in no increased edge habitat or fragmentation; road and stream crossings are not being considered; activities will not result in the introduction of exotic or invasive species. Minimal site or spatial disturbance may still result in significant impacts to an intact or core woodland.	Regeneration potential is being maintained across the site; understory oak associates present or can be restored; expansion of developed areas are centralized; new road and stream crossings not being considered. In the absence of special circumstances, statutes or ordinances, this may represent a non-significant impact.	Majority of remnant trees are retained; understory removal or road widening does not compromise existing tree health; no further loss of ecosystem services considered. In the absence of special circumstances, statutes or ordinances, this may represent a non-significant impact.
Moderate:	Detectible change or reduction in canopy, structure or composition; loss of some habitat features, subtle impacts increasing fragmentation, edge creation or loss of connectivity (fences, roads, other artificial barriers or buffers).	Regeneration potential is being marginalized; developed areas expand into previously undeveloped areas; new roads or stream crossings proposed; habitat features are being lost; activities will add exotic an invasive species.	Loss of a majority of existing trees; activities will inhibit or harm residual tree health and vigor; barriers constructed will increase fragmentation; ecosystem services will be lost or degraded.
	These impacts are considered significant.		
High:	Obvious change or reduction or loss of canopy, structure or composition; loss of existing habitat features; fragmentation and parcelization of contiguous ownerships; introduced roads, stream crossings and/or exotic invasive species; creation of edge effects; construction of barriers (fences, roads, etc.).	Large scale impacts including loss of habitat, understory, resulting in fragmentation and increased edge effects; Loss of woodland structure and changes in composition in large continuous woodland patch.	Loss of remnant trees or stand increases fragmentation across the landscape through loss of connectivity.
	These impacts are considered significant.		

Table 3 – Estimated Level of Significance

Woodland Integrity:	Intact			Moderately Degraded			Severely Degraded		
Impact Severity:	Low	Mod	High	Low	Mod	High	Low	Mod	High
Impact	Level of Significance "LTS"= Less Than Significant; "PS" =Potentially Significant; "S" = Significant								
Net loss of oak woodland acreage.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Increased habitat fragmentation.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of vertical and horizontal structural complexity.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of understory species diversity, locally uncommon or rare species or associations.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of food sources for wildlife	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of nesting, denning, burrowing, hibernating and roosting structures.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of habitats and refugia for sedentary species and those with special habitat requirements, *i.e.* mosses, lichens, rocks, native grasses and fungi.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Road construction, grading, trenching, activities affecting changes in grade, other road-related impacts.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Stream crossings, culverts, and road associated erosion and sediment inputs.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of riparian function, reduced bank stability and increasing sedimentation or water temperature that impacts native fishes and other aquatic species.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Road building activities that aggravate existing conditions	PS	S	S	LTS	LTS	S	LTS	LTS	LTS
Changes in environmental conditions that prevent existing residual trees from natural regeneration.	PS	S	S	LTS	LTS	S	LTS	LTS	LTS
Proposed project designs that result in construction that poses barriers to wildlife or fish passage.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Proposed project designs that result in the probable introduction or expansion of invasive plants and animals	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of individual heritage trees that are recognized and/or protected by ordinance or statutes.	PS	S	S	LTS	S	S	LTS	S	S
Loss of appropriate recruitment sites for recognized and/or protected heritage tree species.	PS	S	S	LTS	S	S	LTS	S	S

Woodland Integrity:	Intact			Moderately Degraded			Severely Degraded		
Impact Severity:	Low	Mod	High	Low	Mod	High	Low	Mod	High
Impact	Level of Significance "LTS"= Less Than Significant; "PS" =Potentially Significant; "S" = Significant								
Loss of individual trees where the natural occurrence and range of the species has been dramatically reduced and altered resulting in decreased recruitment/restoration potential for the species.	PS	S	S	LTS	S	S	LTS	S	S
The removal of even a few individual trees that represents a significant portion of the existing population of that species.	PS	S	S	LTS	S	S	LTS	S	S
Loss of ecosystem services such as groundwater recharge, erosion protection, water quality protection, temperature moderation.	PS	S	S	LTS	S	S	LTS	S	S
Changes to carbon sequestration potential.	PS	S	S	LTS	S	S	LTS	S	S
Loss of view-shed, aesthetics, amenity value, public recreation opportunities, historic or cultural resources.	PS	S	S	LTS	S	S	LTS	S	S

Note: The High Impact Severity column is based on Table 6 of the OWCMP on page 72. The Low and Moderate Impact Severity columns are estimates.

Environmental Assessment (continued)

When answering the aforementioned initial study questions for Advance Planning (AP) or Ordinance Studies (OS) projects, special consideration needs to be given to those projects that create or change existing permitted uses that may impact oak woodlands because permitted uses would not receive project specific environmental assessment. Therefore, any impacts to woodlands and related mitigation would need to be addressed through the AP/OS project environmental assessment.

5. The case planner will route the draft initial study to the County Forester for review and comment.

PROJECT MITIGATION

If a project cannot be redesigned to avoid impacts to oak woodlands, the case planner should work with the staff biologist and the County Forester to determine an appropriate mitigation strategy. Recommended mitigation measures for projects resulting in a significant impact to oak woodlands are identified below and are based on the Plan's recommendations on pages 92-96. The mitigation measures are prioritized by preference for intact woodlands. Per the Staff biologist, prioritization of mitigation measures may not be appropriate for degraded oak woodlands. If avoidance is not possible, then one of the following shall be implemented:

1. Acquire oak woodland habitat that is comparable to the habitat that was impacted.

2. Restore degraded oak woodlands: Off-site restoration should be prioritized over on-site restoration and where feasible, should be located nearby the impacted property, preferably within the same watershed or sub-drainage as deemed appropriate by the County Forester and the staff biologist, or within the same planning area as the impacted property.

   Off-site restoration may include any of the following:

   Acquiring off-site fee title for oak woodland habitat;

   Replacement planting.

   Restoring moderately or severely degraded oak woodlands. More specifically, removing exotics and restoring appropriate native plant diversity

   On-site restoration should be utilized when circumstances at the site allow for long-term sustainability of the replacement plantings, the potential to expand/connect to adjacent oak woodlands, and/or the improvement of degraded oak woodlands. The permittee shall replace/restore lost canopy area. More specifically, the permittee shall provide mitigation trees of the same Oak species. All replacement trees should be planted on native undisturbed soil and should be the same species of oak (*Quercus sp.*) as the removed tree with appropriate associated native vegetation in the understory. The location of the replacement tree should be in the vicinity of other oak trees of the same species. If replacement trees cannot be planted on native undisturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, the County Forester may require additional conditions to ensure that trees thrive.

3. Contributing to LA County's Oak Forests Special Fund at a minimum two to one canopy cover area for the amount removed.

4. Other mitigation measures developed by the County.

The following provisions apply to the aforementioned mitigation options:

To ensure that mitigation measures are implemented, the County Forester may require the project applicant post a bond in the amount determined by the County Forester.

If possible, on site mitigation areas or off site mitigation land should be located adjacent to preserved natural open space unless there are reasons that outweigh this priority (like contributing to a linkage or preserving a specific location with special status species on the mitigation site). The location on site mitigation areas or off site mitigation land requires County Forester and staff biologist approval.

Mitigation areas or land should be at a minimum of two to one canopy cover area for the amount removed. This is the expected canopy extent of mature trees. A more convenient way to think of it might be to base it on stem density, then apply that density over twice the acreage of the impacted area.

All mitigation areas or land should be placed in a conservation easement. If a conservation easement is not possible, the land shall be protected in perpetuity by other means deemed acceptable by the County. Mitigation land may be designated public open space if appropriate.

In addition to mitigation for tree removal, the permittee shall prepare a plan to the satisfaction of the County Forester, for protecting remaining oak trees during and after development.

As part of Mitigation Monitoring Plan (MMP), the staff biologist may require a Habitat Mitigation Monitoring Plan (HMMP) that details the long term maintenance and monitoring plans for the mitigation site. The HMMP should be approved prior to issuance of a grading permit and include the following minimum requirements: description of the project/impact and mitigation sites, specific objectives, success criteria, plant palette, implementation plan, maintenance activities, monitoring plan and contingency measures. Finally, the case planner should route the MMP to the staff biologist and the County Forester for review.

MITIGATION MONITORING

Mitigation monitoring methods are based on the successful monitoring strategies recommended in the Plan on pages 96-98.

Project mitigation shall be monitored and reported on over a seven-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the County Forester and the Department of Regional Planning and should contain the following components:

Description of the project impact and mitigation site.

Specific objectives/success criteria, evaluated based on approved MMP survival rates and percent cover of planted native species, and control of invasive plant and animal species within the mitigation site. Success criteria should be based on a reference site supporting the desired oak species and understory that the mitigation site is designed to achieve.

Monitoring and maintenance activities conducted since the previous report.

Any contingency measures implemented since the previous report.

The County Forester will actively monitor the mitigation site for at least seven years following the implementation of the mitigation strategy.

Once the mitigation project has been completed, the applicant shall submit a final report to the County Forester and Department of Regional Planning. The report shall discuss the implementation, monitoring and management of the mitigation project over the seven-year period, and indicates whether the mitigation project has, in part, or in whole, been successful based on established success criteria. The project shall be extended if success criteria have not been met at the end of the seven-year period to the satisfaction of the County Forester.

The Department of Regional Planning will submit a bi-annual (every other year) report summarizing the status of oak woodland mitigation projects to the Board of Supervisors.

EXHIBIT D

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

June 18, 2015

Stephen Kuhn
4381 Canyon Crest Rd.
Altadena, CA 91001

SUBJECT: INCOMPLETE APPLICATION: REQUEST FOR ADDITIONAL INFORMATION

Project:	R2014-02411
Permits:	RMCP 201400014 and ROAK 201400035
Address (APN):	Vacant Property (APN 5830-003-016)

Dear Agent/Applicant:

The Los Angeles County ("County") Department of Regional Planning is currently reviewing the project identified above and has determined that the project file is incomplete and additional information is required before we can proceed with your application. Please submit the following items:

1. Calculate your front yard setback and show your work. The front yard shall not be less than the average depth of all of the front yards on the same side of the street on the same block. A vacant lot or parcel (including your lot) shall not be included in the computation for this purpose.

2. Calculate your side yard setback and show your work. Each side yard shall not be less than 10 percent of the average width of the lot or parcel, but in no case less than five feet. Since your lot has a varying width, to calculate your average width, measure the width of your property in 10' increments, moving from the front property line to the rear property line.

3. Either redesign the project to meet the following single-family residence development standards, or substantiate the attached findings to modify development standards. According to Section 22.20.15 of the zoning code:

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

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

The standards listed in this section may be modified by the director pursuant to the procedures of Part 12 of Chapter 22.56 and the findings contained in Section 22.56.1755.

4. According to our zoning code, your garage loft and lower floor office are both considered an additional story. Therefore your house is greater than two stories and will need to be redesigned.

   According to the Altadena Community Standards District, the maximum number of stories above grade shall be two. Our zoning code defines "Story" as that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above.

   The only time floor area is not considered a story is when it is a cellar or a non-habitable attic. "Cellar" is that portion of a building between floor and ceiling which is wholly or partly below grade (as defined in Section 22.08.070) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. A non-habitable attic is an attic with no point higher than 7'.

Please submit three sets of full sized revised plans and one digital copy by July 30, 2015. If the requested items are not provided by the due date of this letter, your project may be scheduled before a Hearing Officer. Pursuant to Section 22.56.060 of the County Code (Zoning Ordinance), the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040 of the County Code.

For questions or for additional information, please contact Troy Evangelho of the Zoning Permits East Section at (213) 974-6435, or by email at tevangelho@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,

Troy Evangelho, AICP
Zoning Permits East Section
320 W. Temple
Los Angeles, CA 90012

c: Applicant; Owner

EXHIBIT E

From: Kristina Kulczycki
To: "kuhn.s.r@gmail.com"
Subject: FW: R2014-02411
Date: Thursday, July 09, 2015 9:39:20 AM

Good morning Mr. Kuhn,

Thank you for taking my call yesterday and helping to clarify several aspects of the project.

There are a few additional requested corrections that were discussed during our phone call which I will list below:

1. Please provide a copy of the Forester's clearance letter.
2. Update the Oak Tree Permit Burden of Proof to include the deck encroachment within the protected zone of Oak Tree #10
3. On the site plan, relocate the trash enclosure outside of the front and side yard setbacks.
4. Clarify the correct grading amounts on the revised plans and ensure that the numbers are consistent.
5. Please provide cross sections of the building.
6. Submit four full-sized sets of revised plans and a digital copy. The digital copy can be emailed if the file size is small enough.
7. Include the building square footage on the plans. Separate the square footage of the garage from the habitable space. It may be easiest to also include the loft area separately.

Suggestions: Include renderings of the new design. Also, you may want to contact the Altadena Town Council in anticipation of the public hearing so that they are aware of the project. They often weigh in on projects and appreciate the advance notice.

After speaking with you, I realized that we could also go a different route. If you are okay with considering the building to be three stories in height, you can go straight to a CUP to modify this development standard and I can start noticing the CUP and Oak Tree Permit for hearing instead of the MCUP. I do need to re-circulate the final plans through the other agencies to ensure that they all reviewed the same plans. If you have any copies of the clearance letters from the other agencies, please include these as well and I can informally contact them in hopes to speed up the process.

Should you have any questions, please feel free to contact me.

Regards,

Kristina

Kristina Kulczycki
Regional Planning Assistant II
Zoning Permits East
Department of Regional Planning

http://planning.lacounty.gov
213-974-6435

From: Stephen Kuhn [mailto:kuhn.s.r@gmail.com]
Sent: Wednesday, July 08, 2015 2:40 PM
To: Maria Masis
Subject: R2014-02411

Maria,

I was told to contact you regarding planner re-assignment for case R2014-02411. I believe we have met all of the various stakeholder requirements for pursuing a hearing, and would like to speak to a planner as soon as one is assigned to the case, to start that process. Please let me know if you can provide further information.

Regards,

Stephen Kuhn
kuhn.s.r@gmail.com
626-319-2778

EXHIBIT F

From: Stephen Kuhn
To: Kristina Kulczycki
Subject: Re: FW: R2014-02411
Date: Thursday, July 09, 2015 11:00:27 AM
Attachments: A5.0_Sections_AD.pdf
A5.1_Sections_AD.pdf

Hey Kristina,

Thanks! See below:

On Thu, Jul 9, 2015 at 9:39 AM, Kristina Kulczycki <kkulczycki@planning.lacounty.gov> wrote:

> Good morning Mr. Kuhn,
>
> Thank you for taking my call yesterday and helping to clarify several aspects of the project.
>
> There are a few additional requested corrections that were discussed during our phone call which I will list below:
>
> 1. Please provide a copy of the Forester's clearance letter.

I have just forwarded you the fire department approval. The fire department land development unit coordinated between fuel mod and forestry departments, and their forester (Kelly Kim) was part of the fire department approval.

> 2. Update the Oak Tree Permit Burden of Proof to include the deck encroachment within the protected zone of Oak Tree #10

W/r/t oak tree #10, the definition of damage is defined in the code as:

"Damage," as used in this Part 16, includes any act causing or tending to cause injury to the root system or other parts of a tree, including, but not limited to, burning, application of toxic substances, operation of equipment or machinery, or by paving, changing the natural grade, trenching or excavating within the protected zone of an oak tree.

The protection afforded to the root system of a tree is extended beyond its dripline, but the "other parts of a tree" above grade can only be impacted by physical contact. Therefore, for a cantilevered structure, we would be compliant with the statute if the structure did not make contact with the existing canopy of the tree. There is no need for 5ft additional setback, as there are for roots that may extend this far and farther. It is easy for me to show in survey/pictures that this will not be the case (the canopy

excursion is below the deck), if it is ever required.

Note the code also exempts:
D. Tree maintenance, limited to medium pruning of branches not to exceed two inches in diameter in accordance with guidelines published by the National Arborists Association, (see Class II), intended to insure the continued health of a protected tree;

So, even if a part of the tree did make contact, we would be lawful in removing branches of up to two inches in diameter, which would add several additional feet of clearance (which is the entire extent of overlap of the deck in 2D).

I bring this up because not only the burden of proof but the oak tree report itself distinguish oak tree #10 as not being encroached, and it would entail time and money (on a contract that is closed) to alter the report. We did discuss this at the time with our oak tree consultant, and he assessed no impact.

3. On the site plan, relocate the trash enclosure outside of the front and side yard setbacks.

We are just going to remove it. If there is some question about where we would put our trash bins, we can say we would put them adjacent to where the neighbors currently do (which is on our property).

4. Clarify the correct grading amounts on the revised plans and ensure that the numbers are consistent.

I believe the latest are consistent. I will forward when my architect is finished.

5. Please provide cross sections of the building.

I have attached here the cross-sections. If these don't make the project a little clearer in 3D, I can do a simplified transparent model. But hopefully these are OK.

6. Submit four full-sized sets of revised plans and a digital copy. The digital copy can be emailed if the file size is small enough.

I will wait first for your OK on the plans we forward. My architect is updating them as we speak.

7. Include the building square footage on the plans. Separate the square footage of the garage from the habitable space. It may be easiest to also include the loft area separately.

We are including separately the square footage of the basement/office, the main level, the garage, and the loft.

Suggestions: Include renderings of the new design. Also, you may want to contact the Altadena Town Council in anticipation of the public hearing so that they are aware of the project. They often weigh in on projects and appreciate the advance notice.

We will include the renderings but are still working on them. Hopefully we'll have a set we're happy with by the end of next week. I will notify the Altadena Town Council (probably when we have our renderings done). Would you suggest sending them materials directly, or will they ask if they are interested? Also, can you clarify: if we don't ask for a CSD exemption CUP, I don't believe their approval is required, correct? My understanding is that the minor CUP is just a mechanism to ensure notification, but as long as the community standards aren't violated, they do not have to provide approval.

After speaking with you, I realized that we could also go a different route. If you are okay with considering the building to be three stories in height, you can go straight to a CUP to modify this development standard and I can start noticing the CUP and Oak Tree Permit for hearing instead of the MCUP. I do need to re-circulate the final plans through the other agencies to ensure that they all reviewed the same plans. If you have any copies of the clearance letters from the other agencies, please include these as well and I can informally contact them in hopes to speed up the process.

I think I would rather not go the route of getting a CUP to Altadena standards. There seems more discretion on the part of the town council to deny. I would rather frame the project as fitting completely within the bounds of the standards, which I think it does. The minor CUP is only to satisfy the intent of broader notification that a hillside lot was being built. I'm happy to follow up on that if any part of the logic laid out in the rebuttal is in dispute. I don't know how it could be interpreted otherwise in an internally consistent manner.

I also just forwarded DPW approval.

Thanks,

Stephen

Should you have any questions, please feel free to contact me.

Regards,

Kristina

Kristina Kulczycki

Regional Planning Assistant II

Zoning Permits East

Department of Regional Planning

http://planning.lacounty.gov

213-974-6435

From: Stephen Kuhn [mailto:kuhn.s.r@gmail.com]
Sent: Wednesday, July 08, 2015 2:40 PM
To: Maria Masis
Subject: R2014-02411

Maria,

I was told to contact you regarding planner re-assignment for case R2014-02411. I believe we have met all of the various stakeholder requirements for pursuing a hearing, and would like to speak to a planner as soon as one is assigned to the case, to start that process. Please let me know if you can provide further information.

Regards,

Stephen Kuhn

kuhn.s.r@gmail.com

626-319-2778

Kristina Kulczycki

From: Asad Aboobaker [asad137@yahoo.com]
Sent: Wednesday, April 06, 2016 9:10 AM
To: Kristina Kulczycki
Subject: R2014-02411 -- statement of support for owners

Categories: Red Category

Hello Ms. Kulczycki,

I am writing this note to indicate my support for the project referenced above (R2014-02411), a single-family residence construction planned for Canyon Crest Rd. in Altadena. I recently read an article in the San Gabriel Valley Tribune about the project and had to comment. I have no personal or financial connections to the project: I know neither the property owners nor any of the neighbors objecting, and I live in a different part of Altadena. I believe this makes my opinion more objective than that of those closer to the project.

As I understand it, the owners have done their due diligence and followed all applicable laws and procedures related to the planning and construction of their residence. If that is indeed the case, then their mCUP MUST be approved. If there is a planning process that can be followed perfectly and is still able to be blocked by neighbors, then what is the point of having a process at all?

The neighbors' complaints fall flat to my ears. They claim to be concerned about the environmental effects of having a home on the hillside. But what about the environmental effects of the existing homes? The ecological zone doesn't magically end where their houses start. The land is zoned R-1, and if those other homes are ok, then this new home should also be ok.

If the Canyon Crest Conservancy were really interested in preserving the land, they should have purchased the land when it was available in 2013, or they should try and purchase it from the current owners today. Blocking the development via the planning process strikes me as a way for them to get what they want (undeveloped land) without having to pay market value for it.

My apologies that this email comes to you so late -- I only found out about this project last night, but I can't sit by while inviduals who appear to be doing everything 'by the book' are seemingly being railroaded by neighbors with unreasonable objections.

Thank you,
Asad Aboobaker
Altadena, CA

Kristina Kulczycki

From: Karen Wiedman [rashomonster@gmail.com]
Sent: Tuesday, April 05, 2016 11:05 AM
To: Kristina Kulczycki
Subject: R2014-0241

Categories: Red Category

To whom it may concern:

We are writing to you to express our concern about the construction of the new house on Canyon Crest Rd in Altadena.

If construction of this house proceeds during the dry season, it presents hazards to the neighborhood. We have lived on Canyon Crest Rd for almost 25 years. During that time our neighborhood has been evacuated twice. If construction equipment will block the road during fire season it will present a danger to all residents by blocking ingress and egress. We remember spending a night, over 20 years ago, with 35 fire trucks parked on our street for our protection. We were enormously grateful for the vigilance of these firemen and women who came from many different states in the country. If anything, if any equipment, if any people were to have prevented these firemen and women from doing their job, our homes and our lives would've been at risk.

In addition, the removal of the oak trees during the construction of the house will irreparably change the character of the neighborhood. The heritage of this neighborhood is one of low-rise houses surrounded by the natural vegetation of the San Gabriel foothills. The architectural character of this house, the style, the street frontage, the pilings driven into bedrock, is entirely different from its surroundings and sets a precedent that could potentially change our treasured natural surroundings into a San Gabriel version of Silver Lake or the Hollywood Hills.

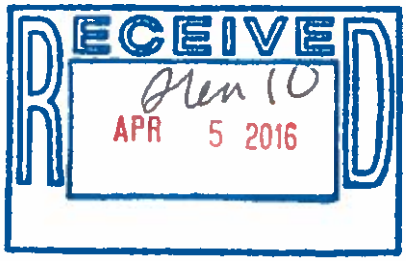
Thank you.

Karen Wiedman and Ernesto Rodriguez
3640 Canyon Crest Rd, Altadena

ipetitions
YOUR VOICE COUNTS

This petition has collected
222 signatures
using the online tools at iPetitions.com

Printed on 2016-04-05



Signatures

1. Name: John Lynch on 2016-02-25 23:12:50
Comments: Please sign this or even better contact the County planner listed at the bottom of the petition.

---

2. Name: Stephen Brumder on 2016-02-26 00:06:01
Comments:

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3. Name: Rob Basile on 2016-02-26 00:50:40
Comments: We don't need more development! We need more open space for our children and community in general!

---

4. Name: Noah Petres on 2016-02-26 01:00:35
Comments:

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5. Name: James Knight on 2016-02-26 01:29:36
Comments: I moved to this neighborhood for Millard Canyon. Please don't approve any further development.

---

6. Name: Michiko Lynch on 2016-02-26 02:03:50
Comments:

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7. Name: Allison gamero on 2016-02-26 06:12:56
Comments: Let the people have their canyon!

---

8. Name: Kelly Perry on 2016-02-26 06:28:37
Comments:

---

9. Name: Chris Snyder on 2016-02-27 05:39:56
Comments:

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10. Name: Kara Bjomlie on 2016-02-27 05:47:48
Comments: Enough is enough. There are plenty of fine homes already. Keep Millard wild. Respect nature and keep the peace of the neighborhood.

---

11. Name: Michael Hickman on 2016-02-27 06:17:25
Comments: The proposed project violates Altadena Community Standards, Hillside Management, and Oak tree Protection Statutes! What does it take to STOP this type of unwanted, out of place development in this area?

---

12. Name: Michael Long on 2016-02-27 07:00:45
Comments: The remaining open space habitat in Millard Canyon needs to be preserved to maintain functioning corridors and this oak woodland ecosystem.

13. Name: Jane Szabo on 2016-02-27 07:50:01
Comments:

14. Name: Paul Hayea on 2016-02-27 07:53:06
Comments:

15. Name: Jennifer Lopez on 2016-02-27 09:04:31
Comments:

16. Name: Evan Mather on 2016-02-27 13:34:01
Comments:

17. Name: Najila Woods on 2016-02-27 13:54:44
Comments: Save Milla rd Canyon. Developers Keep Out.

18. Name: Gregory Han on 2016-02-27 14:01:13
Comments:

19. Name: Joanie Ledger-Donnelly on 2016-02-27 15:40:00
Comments: Stop construction at all costs! It is necessary for the human spirit to have natural and unspoiled land especially where the human population continually increases.

20. Name: Michael Carrier on 2016-02-27 15:50:53
Comments:

21. Name: Melissa Horvath on 2016-02-27 15:55:32
Comments: I grew up hiking this canyon. It's a magical place and should remain as it is- not be destroyed to build some jerk's ugly home.

22. Name: Diana Athey on 2016-02-27 16:18:28
Comments:

23. Name: Leigh Hebert on 2016-02-27 16:31:24
Comments:

24. Name: Stephanie Bower on 2016-02-27 16:47:58
Comments:

25. Name: P Gladden on 2016-02-27 17:28:39
Comments:

26. Name: Nancy Busacca on 2016-02-27 17:31:31
Comments: Such egotism! Both the architect and the "owners"! Ugh!

---

27. Name: kristen urlacher on 2016-02-27 17:39:28
Comments: I spend lots of time down in Millard Canyon. It is a beautiful forest sanctuary tucked away from the Urban Sprawl. Its disgusting to me that people don't see the importance of leaving certain areas of this city
raw and undeveloped.
These people need to take their opportunist ways elsewhere.

---

28. Name: Kristina Marrin on 2016-02-27 17:45:56
Comments: I oppose the construction, it goes against everything the neighborhood stands for. Not making intrusive noise is already a mandate, please stop this intrusive construction (and structure). Thank you. Kristina Marrin

---

29. Name: Sheila Bjornlie on 2016-02-27 18:16:34
Comments: This proposed development is not appropriate for this locaton

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30. Name: Timothy Arthur Brennan on 2016-02-27 18:46:30
Comments:

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31. Name: Robert P Thurstans on 2016-02-27 19:08:41
Comments: Building such a house will have long term, severe access impact into the Meadows which has no alternate access in an emergency. There are already completed houses in the Meadows area that are for sale. Even a remodel/rebuild of one of these would have less of an impact on the area

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32. Name: Marie wong on 2016-02-27 20:03:56
Comments: Stop this development and save the canyon

---

33. Name: Terry M Sieber on 2016-02-27 20:08:33
Comments: The area is losing too many areas to developers. There needs to be areas where nature survives.

---

34. Name: Angela Guidi on 2016-02-27 20:37:03
Comments: The proposed development is completely insensitive to this valued open space area, and opposed by the local community.

---

35. Name: Vicki Redman on 2016-02-27 20:44:05
Comments:

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36. Name: Mendy Fry on 2016-02-27 21:15:02
Comments: This development is inappropriate for this location.

---

37. Name: Steve Hofvendahl on 2016-02-27 21:49:50
Comments:

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38. Name: Therese Brummel on 2016-02-27 22:06:32
Comments:

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39. Name: Michelle Tritten on 2016-02-27 22:09:15
Comments:

---

40. Name: Peter Serdienis on 2016-02-27 22:11:15
Comments:

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41. Name: Stuart Bjornlie on 2016-02-27 22:43:52
Comments: This project will change the landscape and neighborhood, in a negative way forever.

---

42. Name: Allison Chatman on 2016-02-27 22:45:35
Comments: Please prevent one family from destroying the beauty intended to be protected and shared by all. Money does not equal taste or good judgement and should not factor in to making this decision that would greatly disturb this environment and existing laws.

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43. Name: tonya bray on 2016-02-27 23:08:02
Comments:

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44. Name: Shari Asplund on 2016-02-27 23:08:18
Comments:

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45. Name: Erik Hillard on 2016-02-28 00:45:18
Comments: This lot is extremely steep and contains many old growth Oak trees. Please keep it native.

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46. Name: Dena Bjornlie on 2016-02-28 01:06:31
Comments:

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47. Name: Betsy Kenyon on 2016-02-28 01:38:02
Comments:

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48. Name: joan Kaplan on 2016-02-28 05:48:19
Comments:

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49. Name: Atsuko Pierce on 2016-02-28 15:12:33
Comments:

50. Name: Lisa Heidel on 2016-02-28 17:01:34
Comments:

51. Name: Dennis Bridwell on 2016-02-28 18:05:13
Comments: I am greatly concerned that this construction would cause a safety problem for the entire Meadows neighborhood of 240 homes. There is no room to stage equipment, dumpsters, vehicles, workers, etc. on that very narrow blind curved road without creating safety problems for us living in the Meadows. Please don't put the Meadows residents in harms way, we only have one way in and out. This development would put us in great jeopardy.

52. Name: Patrick Lynch on 2016-02-28 19:52:30
Comments: Impossible to believe that the zoning commission would let an ultra modern four level home be built blocking views and invading privacy and being out of keeping with the area.

53. Name: Charles Ian White on 2016-02-28 20:51:08
Comments:

54. Name: Dorothy Lynch on 2016-02-28 21:00:05
Comments: Proposed home would be overpowering to the whole neighborhood and construction blocking street would be untenable.

55. Name: Rosa Leon on 2016-02-28 22:40:11
Comments:

56. Name: Leigh Adams on 2016-02-28 23:49:40
Comments: A four level home has priority over native oaks and wildlife.....that is non-sensical, absolutely untenable and just incredibly short sighted.

57. Name: Robyn Paul on 2016-02-29 00:47:19
Comments:

58. Name: Roger Klemm on 2016-02-29 02:49:46
Comments: Develop on a 50% slope? They have to be crazy! Lower Millard Canyon needs to be protected as open space, "not" developed!

59. Name: Laura Voisin George on 2016-02-29 03:26:33
Comments:

60. Name: Marco Barrantes on 2016-02-29 07:03:21
Comments: Stop this development please.

61. Name: Karen Lynch on 2016-02-29 14:01:51
Comments: Karen Lynch

62. Name: Brenda Wadsworth on 2016-02-29 15:25:29
Comments:

63. Name: Suzanne Grinnan on 2016-02-29 17:22:14
Comments:

64. Name: Andy De Young on 2016-02-29 17:49:24
Comments:

65. Name: Lydia Vilppu on 2016-02-29 21:52:22
Comments:

66. Name: Claudia Colodro on 2016-02-29 23:30:06
Comments: What remains of our areas undeveloped and natural land must be a priority when considering further and destructive development. Thank you for considering the strong opposition. Claudia

67. Name: Amelia Buhrman on 2016-03-01 02:07:49
Comments:

68. Name: Jack Neff on 2016-03-01 03:06:45
Comments:

69. Name: Julie Rose on 2016-03-01 03:54:43
Comments:

70. Name: Chris DeGroof on 2016-03-01 03:56:41
Comments: What an atrocity this is. Lower Millard Canyon is a beautiful riparian habitat to many incredible species of wildlife. Please save this land and leave it untouched.

71. Name: Jared McGowan on 2016-03-01 04:15:18
Comments:

72. Name: Michael Storc on 2016-03-01 04:15:26
Comments:

73. Name: Valerie Camacho on 2016-03-01 04:35:11
Comments:

74. Name: Eric Simpson on 2016-03-01 04:44:23
Comments:

75. Name: Melinda barrett on 2016-03-01 04:44:46
Comments:

76. Name: Michiko Erwin on 2016-03-01 04:47:29
Comments: Lack of process and oversight here is undemocratic and unacceptable.

77. Name: Sharon Reeve on 2016-03-01 06:06:54
Comments:

78. Name: Sandra Miller on 2016-03-01 06:26:34
Comments:

79. Name: Laura Garrett on 2016-03-01 06:27:18
Comments:

80. Name: Heather Sabin on 2016-03-01 07:21:46
Comments:

81. Name: Scott Babcock on 2016-03-01 07:51:40
Comments:

82. Name: Malka Essig on 2016-03-01 07:53:19
Comments:

83. Name: Mark Stephens on 2016-03-01 18:26:20
Comments: Preservation of our few remaining wild interfaces benefits our collective citizenry. "The West of which I speak is but another name for the Wild; and what I have been preparing to say is, that in Wildness is the preservation of the world." --Henry D. Thoreau from the essay "Walking"

84. Name: Dorothy Wong on 2016-03-01 19:23:05
Comments: Please do not approve this plan and preserve rare open space and wildlife corridors in our region. It is not appropriate to build here.

85. Name: Gary Walker on 2016-03-01 19:27:02
Comments:

86. Name: Suzannah Ferron on 2016-03-01 19:44:22

Comments: Development in one of the last remaining open spaces in the lower Millard Canyon--a critical watershed and habitat to numerous species already under tremendous stress from climate change and human encroachment--is simply unacceptable. I urge the Altadena town council to prioritize the long-term well-being of the people of Altadena--as well as the wildlife and iconic natural spaces that have made Altadena such an inviting and beautiful place to be--over the personal desires of a couple of individuals. While it is wonderful that these individuals appreciate the beauty of the area--this is made clear on their public relations site--this does not give them or anyone else the right to damage or destroy it. If someone truly appreciated the canyon, he or she would enjoy the natural beauty of the area as it is, which would allow others to do the same. There are plenty of other existing homes with beautiful views of nature; surely these individuals are able to find one.

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87. Name: Stephen Yelich on 2016-03-01 21:25:24
Comments:

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88. Name: Jay Hinkle on 2016-03-01 21:27:14
Comments:

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89. Name: Kevin Boner on 2016-03-01 22:10:12
Comments: Please do not approve this land and keep this area as natural open space.

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90. Name: Sharon on 2016-03-01 22:46:34
Comments: Let nature be. Leave nature alone and keep it as God intended it to be. When La Vina development was built, it destroyed the natural mountainside and ruined hiking and horse trails. I have had enough of developers building on our mountainsides and canyons. This is just wrong! I urge you to stop any more development like La Vina or any other developments from happening in Altadena. We don't need this. This would destroy the natural habitat that calls this area home and ruin our precious mountains and canyons.

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91. Name: Sharon Ward on 2016-03-01 23:04:51
Comments: Millard Canyon has been a recreation spot for our family for over 40 years. Please leave it as it is.. Thank You

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92. Name: Dorothy Noe on 2016-03-01 23:46:58
Comments: Please do not allow more buildings in our last remaining forestland. Thank you

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93. Name: Jesse Chang on 2016-03-01 23:47:06
Comments:

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94. Name: Mateo Abascal on 2016-03-01 23:50:00
Comments:

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95. Name: Christina Van Oosten on 2016-03-01 23:51:07
Comments: I grew up in the Altadena/Pasadena area. As a child I spent much of my time outdoors. I can't imagine our communities being ok with the disregard this project has for native flora and fauna.

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96. Name: Janice Loggins on 2016-03-01 23:54:34
Comments: Do not develop Millard Canyon. Leave Altadena natural

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97. Name: Marina Completo on 2016-03-02 00:13:46
Comments: Enough is enough! Developers are over the damm place putting up those unaffordable crackerjack apt. Please leave
this little ecosystem alone.

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98. Name: James Shifflett on 2016-03-02 00:27:29
Comments:

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99. Name: Jenny Homer on 2016-03-02 00:27:42
Comments:

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100. Name: Kazi Pitelka on 2016-03-02 00:31:17
Comments: A careful look at the actual site with all the facts at hand, not just the owner's website, will quickly confirm what everyone in this canyon has been saying. This building project would be a nightmare for the neighbors, the environment, the road, and the spirit of this unique neighborhood.

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101. Name: Leigh Ferguson-Samuel on 2016-03-02 01:06:27
Comments: This is not a project that should be allowed in our neighborhood. The canyon and wildlife and trees should be saved from this type of development.

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102. Name: Noel Russell on 2016-03-02 01:19:46
Comments:

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103. Name: Alison Blume on 2016-03-02 01:39:18
Comments:

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104. Name: Randy Baer on 2016-03-02 02:00:33
Comments: The intent and wording of our Hillside Ordinance is clear and needs to be followed. New construction down into Millard Canyon should not be allowed under any circumstances.

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105. Name: Chris Rackard on 2016-03-02 02:26:58
Comments:

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106. Name: Andy Behr on 2016-03-02 02:42:26

Comments: We need to leave this land alone. Enough development has occurred, and severe pressure on watershed systems could be disastrous by the mid century mark. Los Angeles is clearly #1 in the nation regarding stressed water systems. That's not an opinion ... it's a researched fact.

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107. Name: Eve Kessler on 2016-03-02 03:07:26
Comments:

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108. Name: Jay on 2016-03-02 03:10:36
Comments: Don't you dare!

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109. Name: Frank Landis on 2016-03-02 03:15:48
Comments: What's going on with LA County? Don't they read their own regulations?

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110. Name: Laura Wheeler on 2016-03-02 04:33:22
Comments: Please don't!

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111. Name: Jeanny Boltze on 2016-03-02 04:40:47
Comments: Would hate to lose any more of the unassuming slice of heaven my family has had for over 40 years. The landscape and wildlife has already been greatly disrupted.

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112. Name: Melissa on 2016-03-02 04:51:53
Comments:

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113. Name: doris coyne on 2016-03-02 05:04:12
Comments:

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114. Name: Lisbeth O Poplin on 2016-03-02 05:42:39
Comments: No way!

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115. Name: Eryn Stinzel on 2016-03-02 06:17:35
Comments:

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116. Name: Manuel Chacon on 2016-03-02 06:29:29
Comments:

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117. Name: Edward Drayton on 2016-03-02 07:08:12
Comments: Save Millard Canyon!

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118. Name: Marcy Froehlich on 2016-03-02 07:12:29
Comments: Keep our wild spaces wild! The coyotes are more and more coming into the neighborhoods that already exist because they have nowhere else to go!

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119. Name: barbara field on 2016-03-02 07:23:45
Comments: There are so many other places to build, and so few wild open spaces left in our neighborhoods, This plan should not be approved. .

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120. Name: Monica Reyes on 2016-03-02 07:25:25
Comments:

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121. Name: Mike simpson on 2016-03-02 07:33:43
Comments:

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122. Name: Nancy Dubuc on 2016-03-02 07:38:05
Comments: There is a critical need for wild space that border urban areas. Families have used Millard Canyon for generation after generation. Please save this area from development.

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123. Name: Valley Varma on 2016-03-02 07:48:01
Comments:

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124. Name: Barbara Pachano on 2016-03-02 13:26:29
Comments: Millard Canyon was one of our favorite hiking areas! It would be a crime to disturb it!!

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125. Name: Marnie Gaede on 2016-03-02 14:39:46
Comments:

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126. Name: Richard F Rupp on 2016-03-02 15:22:26
Comments:

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127. Name: Petrea Sandel on 2016-03-02 15:22:32
Comments: Millard Canyon's beauty and history cannot be equaled. It must be protected, not exploited.

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128. Name: Timothy M Nolan on 2016-03-02 16:20:50
Comments:

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129. Name: Lynn Backus on 2016-03-02 16:30:07
Comments: It is time to halt further development into the urban/open-space interface. Preserved open spaces benefit all.

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130. Name: Bruce Moreland on 2016-03-02 16:34:59
Comments: stop ruining the earth

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131. Name: Patrick Dron on 2016-03-02 16:43:58

Comments:

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132. Name: Denise Shukha on 2016-03-02 16:44:10
Comments:

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133. Name: Lisa Doodaklan on 2016-03-02 17:30:30
Comments:

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134. Name: Christie Hintz on 2016-03-02 18:09:31
Comments: There is too much development already going on in the Pasadena/Altadena area. Water & infrastructure in general are being impacted. No more. Stop this unnecessary development.
Christie Hintz

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135. Name: Zach Siruta on 2016-03-02 18:50:32
Comments: We develop everywhere, let's save this beautiful pristine area for future generations.

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136. Name: Susan Campisi on 2016-03-02 19:36:26
Comments: Developing on hillsides poses a high risk of erosion and landslides. And these homes would be in an area prone to wildfires. With the severe drought this region faces, we need trees and habitat more than ever to maintain a healthy ecosystem. Please deny this development!

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137. Name: kate mellors on 2016-03-02 19:44:54
Comments:

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138. Name: Peter Thompson on 2016-03-02 19:56:11
Comments:

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139. Name: Marie Harper on 2016-03-02 20:01:11
Comments:

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140. Name: Denise Burchard on 2016-03-02 20:09:36
Comments:

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141. Name: Rick on 2016-03-02 20:16:06
Comments:

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142. Name: Nancy Shires on 2016-03-02 20:33:26
Comments:

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143. Name: Joy walters on 2016-03-02 20:59:36

Comments: We do not need anymore developments on the mountainside. As a residence on the foothills, I've seen the wild animals struggle to coexist in the developed area.

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144. Name: Karen Hirsch on 2016-03-02 21:02:37
Comments: This is a precious and useful resource to many communities. The development proposed is startling in its inappropriatenes.

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145. Name: Jo Kenney on 2016-03-02 21:31:32
Comments: Hiked through Millard Canyon to Echo Mountain. Wonderful, natural space. Needs to be protected!

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146. Name: Diane Shires on 2016-03-02 21:33:09
Comments:

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147. Name: Steve on 2016-03-02 22:12:19
Comments:

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148. Name: Terry Strawn on 2016-03-02 22:14:47
Comments:

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149. Name: Monica Krieger on 2016-03-02 22:15:15
Comments:

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150. Name: Katherine Landesman on 2016-03-02 23:36:42
Comments:

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151. Name: Aaron Brilhart on 2016-03-03 00:27:45
Comments: Thank you

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152. Name: Kat Ward on 2016-03-03 00:30:34
Comments:

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153. Name: Fionna Panganiban on 2016-03-03 00:37:16
Comments: Save it.

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154. Name: Filipe Bessa on 2016-03-03 00:46:53
Comments:

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155. Name: Seth Gold on 2016-03-03 01:55:20
Comments:

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156. Name: Brigitt Montrs on 2016-03-03 06:24:16

Comments:

157. Name: Leslee Koritzke on 2016-03-03 06:41:17
Comments: Preserve our open-spaces!

158. Name: Marty Castillo on 2016-03-03 13:01:42
Comments:

159. Name: Lori Webster on 2016-03-03 19:18:38
Comments:

160. Name: shannon kearney on 2016-03-03 19:28:53
Comments:

161. Name: Shirin Parsa on 2016-03-03 19:43:57
Comments: Save our environment!

162. Name: marcie on 2016-03-03 21:23:07
Comments:

163. Name: Nicolas Husson on 2016-03-03 21:30:10
Comments:

164. Name: Lisa Moreno on 2016-03-03 21:32:56
Comments:

165. Name: Harold Woodley on 2016-03-03 21:35:29
Comments:

166. Name: Shawna Dawson on 2016-03-03 21:37:25
Comments: Let's keep Altadena beautiful.

167. Name: Alexandra on 2016-03-03 21:50:33
Comments:

168. Name: Jacqueline Silverman on 2016-03-03 21:55:52
Comments:

169. Name: Ruben Gomez on 2016-03-03 22:01:21
Comments:

170. Name: Michael Brake on 2016-03-03 22:06:49

Comments:

171. Name: Laura Manning on 2016-03-03 22:25:04
Comments: We do not need more housing developments in sensitive areas.

172. Name: Phyllis K Boyajian on 2016-03-03 22:39:24
Comments:

173. Name: David C on 2016-03-03 23:13:58
Comments:

174. Name: Lee Recchia on 2016-03-03 23:47:35
Comments: This is not a property, it is a cliff, and not suitable to build on.

175. Name: Matthew Kirsch on 2016-03-04 00:09:51
Comments:

176. Name: Victor Caballero on 2016-03-04 01:28:00
Comments: There is no way this should be permitted.

177. Name: Linda Clark on 2016-03-04 03:23:59
Comments:

178. Name: Norm Haley on 2016-03-04 03:42:28
Comments:

179. Name: Scott Rubel on 2016-03-04 03:59:18
Comments:

180. Name: Naomi Dauermann on 2016-03-04 04:01:17
Comments: Keep upper Altadena free from more development. We need our wild spaces!

181. Name: Helen Driscoll on 2016-03-04 04:04:24
Comments:

182. Name: Bernadette Giglio on 2016-03-04 05:52:47
Comments:

183. Name: Laura Brown on 2016-03-04 06:17:56
Comments:

184. Name: Susan Foster on 2016-03-04 06:29:14

Comments:

185. Name: Jennifer Woodson on 2016-03-04 06:29:40
Comments:

186. Name: Roberto Quintana on 2016-03-04 06:29:45
Comments:

187. Name: Kelly Collins on 2016-03-04 06:56:37
Comments:

188. Name: David Malpee on 2016-03-04 06:59:45
Comments:

189. Name: Scott Collins on 2016-03-04 07:12:32
Comments:

190. Name: Stephanie Clements on 2016-03-04 12:33:22
Comments:

191. Name: Mona K Sperling Conrad on 2016-03-04 14:51:57
Comments:

192. Name: Laura Randall on 2016-03-04 16:31:38
Comments:

193. Name: John Kimble on 2016-03-04 16:32:44
Comments:

194. Name: Jay Nadeau on 2016-03-04 17:37:23
Comments: Keep Millard wild!

195. Name: Christy Moision on 2016-03-04 20:04:35
Comments:

196. Name: Jon Texas on 2016-03-04 22:53:31
Comments: PLEASE PLEASE We do not need more development! Go gentrify another neighborhood dont take away nature!

197. Name: Peter Pfeiffer on 2016-03-05 02:11:12
Comments:

198. Name: Jasmine Traub on 2016-03-05 04:44:49
Comments:

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199. Name: Shelly Gurzi on 2016-03-06 05:06:08
Comments:

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200. Name: Nicholas Hummingbird on 2016-03-06 05:10:09
Comments:

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201. Name: Donald Hodel on 2016-03-06 09:02:06
Comments:

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202. Name: Yoonhee on 2016-03-06 21:27:25
Comments:

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203. Name: ann fischer on 2016-03-06 21:56:48
Comments:

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204. Name: Rachel Gutek on 2016-03-07 03:53:44
Comments: Do the right thing!

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205. Name: josh romano on 2016-03-07 19:08:26
Comments: enough of this development alreaedy!!

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206. Name: Rex Mayreis on 2016-03-08 15:41:32
Comments: I would be sorry to lose the beautiful natural landscape in this spot. We have always admired this narrow road when we walk up to the Meadows. It would be like replacing trees and an animal corridor with a wall along this stretch of Canyon Crest.

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207. Name: Daniel Heiman on 2016-03-09 13:02:19
Comments: Planning commissions have a delicate task of balancing various needs and perspectives from the community. Certainly a healthy local economy is a strong need in a city or unincorporated area. Yet, that need must be balanced with other needs. As an avid hiker who moved to Altadena twenty years ago, I urge you to reconsider allowing this project to go forward. To my mind, the cost outweighs the benefit. Please reconsider?

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208. Name: Jennifer Brita Parker on 2016-03-09 15:20:03
Comments:

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209. Name: Susan Campisi on 2016-03-11 23:06:45
Comments:

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210. Name: Elizabeth Creely on 2016-03-13 02:32:39

Comments: Infill, not sprawl! Stop developing our precious woodlands, tidal wetlands, riparian corridors and all other natural and wild spaces!

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211. Name: Wendy Talaro on 2016-03-13 04:53:43
Comments:

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212. Name: Elizabeth garrison on 2016-03-14 00:20:26
Comments: Leave the land alone

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213. Name: TRACY BERGE on 2016-03-14 23:06:48
Comments:

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214. Name: Laurie Zamudio Whalen on 2016-03-16 17:18:37
Comments: As a young adult, I hiked & camped at Millard Canyon. Now my son & his Boy Scout Troop are hiking & camping at this same location.

Let's leave the land to our children.

The land is much more valuable as natural open space, than it is as a glorified tract housing subdivision.

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215. Name: Elizabeth Saveri on 2016-03-16 17:44:09
Comments:

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216. Name: Leslie Clark on 2016-03-16 22:22:07
Comments: Please leave space for animals and plants to live. This world has to accommodate more than just people.

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217. Name: cameron butler on 2016-03-18 00:35:34
Comments:

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218. Name: Todd Szabo on 2016-03-27 03:24:36
Comments: This house does not belong here especially at the height and size as designed.

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219. Name: alejandra sinay on 2016-03-27 15:27:30
Comments:

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220. Name: Sarah Gates on 2016-03-28 01:02:22
Comments:

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221. Name: Diana Tracy on 2016-03-30 16:16:04
Comments: I Support Wild Life Corridor's....We will Perish as a Species ...if we keep sucking up The wild space around us..Fight Back..Space is the New Oil..and Altedena

Still offers that..The builder need to consider the Old Walmart Space and stop Covering our Planet with Concrete. My Thoughts.

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222. Name: victor white on 2016-04-04 18:47:45
Comments: Please don't let them destroy the canyon wall!

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 5, 2016

TO: Hearing Officer

FROM: Kristina Kulczycki KK
Zoning Permits North Section

SUBJECT: Project No. R2014-02411-(5)
Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, and Environmental Assessment No. 201400194
HO Meeting: April 5, 2016
Agenda Item: 10

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and additional encroachments into the protected zone of nine other oak trees.

Please find additional enclosed letters for the above referenced item that were not included in the hearing package provided to the Hearing Officer.

If you need further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:KK

Enclosures: Additional comment letters

P: (626) 381-9248
F: (626) 389-5414
E: mitch@mitchtsailaw.com

Mitchell M. Tsai
Attorney At Law

1055 E. Colorado Boulevard
Suite 500
Pasadena, California 91106

VIA HAND DELIVERY, ELECTRONIC, & U.S. MAIL

April 4, 2016

Kristina Kulczycki
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING (DRP)
320 West Temple Street
Los Angeles, California 90012
Em: kkulczycki@planning.lacounty.gov

HAND DELIVERED ON APRIL 4, 2015 AT APPROXIMATELY 9:00 A.M. TO:

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING (DRP)
320 West Temple Street, Room. 150
Los Angeles, California 90012

RE: Canyon Crest Conservancy Comment Letter Regarding Agenda Item No. 10 for the County of Los Angeles April 5, 2016 Public Hearing Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014.

Dear Ms. Kulczycki,

On behalf of Canyon Crest Conservancy ("**Conservancy**" or "**CCC**"), my Office is providing comments concerning Agenda Item No. 10 for April 5, 2016 County of Los Angeles ("**County**") Public Hearing Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014 ("Project"). These comments are intended to supplement comment already provided to the County on March 23, 2016.

CCC is a group of concerned Altadena residents who are dedicated to open spaces and quality of life in the Canyon Crest area.

CCC urges the County of Los Angeles to reject the Project for violating the California Environmental Quality Act, Cal. Pub. Res. Code §§ 21000 et seq. ("**CEQA**"), the Altadena Community Standards, County Code § 22.44.127 ("**Altadena Community Standards**"), as well as the County's Oak Tree Ordinance, Co. Code 22.56.2050 *et seq* ("**Oak Tree Ordinance**").

At a minimum, CCC urges the County of Los Angeles to continue the hearing and allow for adequate public review of the Project. Numerous last minute changes have been adopted into the Project, including an amendment to the Project Initial Study and Project Description a *mere five days* before this hearing. This significant new information requires, *at minimum*, a continuation of this hearing to allow the public to adequately review the Project.

I. THE PROJECT VIOLATES ALTADENA COMMUNITY STANDARDS.

a. The Project Violates The Altadena Community Standards Floor Limitations.

The Altadena Community Standards, Co. Code § 22.44.3127, limits single-family homes to two stories above grade. However, the Project's building plans demonstrate that the project has *four* stories *above grade*, easily exceeding the Altadena Community Standards floor limitations. *See* Floor & Section Plans. As the County's own analysis notes

> 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 west-facing cantilevered deck. There is a lower level below the kitchen and living room where an office is proposed. Staff Analysis at 2.

The County claims that the Project has only two stories above grade by classifying the two levels below the garage as a cellar and therefore *below grade* and classifying the garage and the loft as two stories *above grade*. Staff Analysis at 5 – 6, 9 ("Only one portion of the house has more than 2 floors – the footprint of the loft"); *see also* Co. Code § 22.08.190 (defining "Story" as "that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above," excluding "cellars."). The County's classification that the main residence level, composed of "two bedrooms, two bathrooms, a kitchen, and a living room" *id.* at 2, as well as the bottom level office as a cellar flies in the face of the *plain meaning* of the County Code.

Section 22.08.070 of the County Code defines "Grade" as:

> . . . the approved grade of a lot or parcel of land at the time such lot or parcel is created, except when excavation is proposed. When excavation occurs after the lot or parcel is created, the grade of the excavated area shall be the grade *after the excavation*. . . . Grade within the perimeter of a structure shall be considered to transition uniformly from the *lowest to the highest points* of grade *at the perimeter of the structure*. (Emphasis added).

Section 22.08.030 of the County Code defines "Cellar" as:

> . . . that portion of a building between a floor and ceiling which is wholly or partly below grade (as defined in Section 22.08.070) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

Section 22.08.070 of the County Code measures "Grade" from the *perimeter* of the structure from the *lowest and the highest points of grade*. The Project's drawings demonstrate that the main

residence floor and the below office are *above grade* as they are visible from the *perimeter* of the structure. *See* Building Model. Cellars are required to have all their walls buried below ground, i.e. *below grade*, and not to have any walls visible from the perimeter of the structure. The Project violates the floor restrictions in the Altadena Community Standards.

b. The Project Violates The Altadena Community Standards Height Limits.

The Altadena Community Standards, Co. Code § 22.44.3127, limits the Project to a maximum height of 35 feet. The Project violates the height restriction as the proposed structure has a linear height of 62 feet. *See* Building Model.

The County claims that the height restriction only applies to the portion of the structure *above grade*. However, even if you adopt the County's interpretation and arbitrarily set the grade of the Project at 49% of the main residence floor and above, the Project *still* exceeds 35 feet as the County's height measurement only includes the garage and loft. *See* Floor & Section Plans; and Elevation Plans.

However, the County misinterprets the grade of the Project, as the County does not account for the exposed perimeter of the structure of the Project, which totals 62 feet in linear height. *Supra* I.A. The Project violates the maximum height limitations of the Altadena Community Standards.

II. THE PROJECT VIOLATES THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

a. Background On The California Environmental Quality Act.

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report except in very limited circumstances. *See, e.g.*, Cal. Pub. Res. Code § 21100. The EIR is the very heart of CEQA. *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109. CEQA applies to agency projects that may have an adverse environmental impact. *Friends of Mammoth v. Board of Supervisors*, 8 Cal.3d 247, 259 (1972); *Friends of B Street v. City of Hayward*, 106 Cal.App.3d 988, 1003 (1980) (project that included removal of trees caused significant effect on environment). CEQA has two broad purposes: 1) avoiding, reducing or preventing environmental damage by requiring alternatives and mitigation measures 14 Cal. Code Regs. § q15002(a)(2)-(3) (hereinafter "**CEQA Guidelines**"); and 2) providing information to decision makers and the public concerning the environmental effects of the proposed project. CEQA Guidelines § 15002(a)(1).

To achieve its objectives of environmental protection, CEQA has a three-tiered structure. CEQA Guidelines § 15002(k); *Comm. to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1185 – 86. First, if a project falls into an exempt category, or it can be seen with certainty that the activity in question will not have a significant effect on the environment, no further agency evaluation is required. *Id.* Second, if there is a possibility the project will have a

significant effect on the environment, the agency must perform a threshold initial study. *Id.*; CEQA Guidelines § 15063(a). If the study indicates that there is no substantial evidence that the project may cause a significant effect on the environment the agency may issue a negative declaration. *Id.*; CEQA Guidelines §§ 15063(b)(2), 15070. Finally, if the project will have a significant effect on the environment, an environmental impact report ("**EIR**") is required. *Id.*

b. Background On Initial Studies And The "Fair Argument Standard.

As the California Supreme Court very recently held, "If no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." *Communities for a Better Environment v. South Coast Air Quality Management Dist. (ConocoPhillips)* (2010) 48 Cal. 4th 310, 319-320 ("*CBE v. SCAQMD*"), citing, *No Oil, Inc. v. City of Los Angeles*, 13 Cal.3d at pp. 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal. App. 3d 491, 504–505) "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109.

An EIR is required if "there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment." Pub. Res. Code § 21080(d) (emphasis added); see also *Pocket Protectors*, 124 Cal.App.4th at 927. In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR CEQA Guidelines § 15371, only if there is not even a "fair argument" that the project will have a significant environmental effect. Pub. Res. Code §§ 21100, 21064. Since "[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process," by allowing the agency "to dispense with the duty [to prepare an EIR]," negative declarations are allowed only in cases where "the proposed project will not affect the environment at all." *Citizens of Lake Murray v. San Diego*, 129 Cal.App.3d 436, 440 (1989) CEQA contains a "*preference for resolving doubts in favor of environmental review.*" *Pocket Protectors*, 124 Cal.App.4th at 927 (emphasis in original).

An Initial Study is improper, and an EIR is required, whenever substantial evidence in the record supports a "fair argument" that significant impacts may occur. Under the "fair argument" standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency's decision. CEQA Guidelines § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon v. Stanislaus* (1995) 33 Cal.App.4th 144, 150-151 (1995); *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal. App. 4th 1597, 1602.) The "fair argument" standard creates a "low threshold" favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal. App. 4th at 928.

The "fair argument" standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

> This 'fair argument' standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

Kostka & Zischke, *Practice Under CEQA*, §6.29, pp. 273-274. The Courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with a *preference for resolving doubts in favor of environmental review.*" *Pocket Protectors*, 124 Cal. App. 4th at 928, emphasis in original.

As a matter of law, "substantial evidence includes . . . expert opinion." (Cal. Pub. Res. Code § 21080(e)(1); CEQA Guidelines § 15064(f)(5).) CEQA Guidelines demand that where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the environmental effects to be significant and prepare an EIR. (CEQA Guidelines § 15064(f)(5); Pub. Res. Code § 21080(e)(1); *Pocket Protectors*, 124 Cal. App. 4th at 935.) "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." Pub. Res. Code § 21068; see also Guidelines 15382. An effect on the environment need not be "momentous" to meet the CEQA test for significance; it is enough that the impacts are "not trivial." *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 83. In the recent *Pocket Protectors* case, the court explained how expert opinion is considered. The Court limited agencies and courts to weighing the admissibility of the evidence. *Id.* In the context of reviewing a Negative Declaration, "neither the lead agency nor a court may 'weigh' conflicting substantial evidence to determine whether an EIR must be prepared in the first instance." *Id.* Where a disagreement arises regarding the validity of a negative declaration, the courts require an EIR. As the *Pocket Protectors* court explained, "It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project." *Id.*

The case of *Christward Ministry v. Superior Court of San Diego County*, 184 Cal. App. 3d 180 (1986) explains the standard of judicial review when a lead agency declines to prepare an EIR:

> On a claim an EIR rather than a negative declaration should have been prepared, the courts look to see if there was substantial evidence to support the agency's conclusion it could not be "fairly argued" the project would have a significant environmental impact. (*Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 503-504. If there is no substantial evidence to support the agency's conclusion a fair argument cannot be made that

> the project will have a significant environmental impact, then the agency's action in adopting a negative declaration amounts to an abuse of discretion by the agency and a failure to proceed in a manner required by law. (*Ibid.)*

Christward Ministry v. Superior Court of San Diego County, 184 Cal.App.3d 180, 187 (1986).

c. Background on Significant Environmental Impacts.

CEQA sets a *low threshold* to determine whether a Project will have or may have a significant impact on the environment. Section 15382 of the CEQA Guidelines provides that a Project should be determined to have a significant environmental impact and therefore require an Environmental Impact Report or Mitigated Negative Declaration if a substantial or potentially substantial adverse *change in any of the physical conditions in* an area affected by the project. Significance is determined upon the change imposed by a proposed project.

d. The Initial Study Adopted An Inaccurate Project Description And Must Be Reissued.

The County, a mere *five days* before the County's hearing set for April 5, 2016, revised the Project's Initial Study and Project Description, amending the maximum height of the Project from 33 feet and 10 inches to 34 feet and 10 and a half inches. Memorandum from Kristina Kulczycki, Zoning Permits North Section to Hearing Officer Re: Project No. R2014-02411-(5)

CEQA requires that the public be given atleast *20 days* to review a proposed negative declaration, as is in this case. CEQA Guidelines § 15105(b). The County notified the public of this change and amended the environmental documents a mere 5 days before this hearing.

The County should continue the hearing to allow the public adequate time to review the revised Project. "Where an agency fails to provide an accurate project description, or fails to gather information and undertake an adequate environmental analysis in its initial study, a negative declaration is inappropriate. *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal. App. 4th 1170, 1202 (quoting *City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 406, 408.); *see also El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal. App. 4th 1591, 1597.

The County claims that reissuance or recirculation is not required because the height increase does not change the Initial Studies' environmental analysis as to whether the Project will have significant environmental impact. However, that does not apply when the project description that is being analyzed is amended. CEQA Guidelines §§ 15073, 15073.5.

e. The Project Will Have Significant Environmental Impacts.

1. The Project Will Have Significant Impact On Oak Woodlands.

The Project understates the impact that the Project will have on Oak Woodlands. As expert arborist Rebecca Latta notes, the Project's arborists report understates the size of the Project and does not conform with the Project's site plans as the "walls on the plans are 24-feet and 18-feet, but the report only discusses one proposed 5-foot retaining wall." Letter from Rebecca Latta to Kristina Kulczycki, Senior Regional Planning Assistant, LA County Regional Planning (Mar. 30, 2016) at 1.

Moreover, the Project understates the number of protected oaks that will need to be removed as a result of the project. Latta notes that in addition to the one oak tree that the Project's Initial Study and Arborist Report reports that need to be removed, the new site plans will require the removal of an additional 3 – 4 trees, and at a minimum specifically trees nos. 4, 5, and 7, to be removed, as well as substantial adverse impact on 3 other protected oak trees, trees number 1, 8, and 9. *Id.*

2. The Project Will Have Significant Aesthetic Impacts.

The Project will have significant aesthetic impacts as it will adversely affect a scenic vista as well as substantially degrade the existing visual character or quality of the site and its surroundings due to the Project's height, bulk, pattern, scale, character, and other feature by obstructing scenic views of the surrounding canyon. The County's admits that the Project Site "is located on a steep hillside with a beautiful view of the canyon." Staff Analysis at 6. The Project's thirty-four foot and 10-and-a-half-inch maximum height will significantly obstruct scenic views of the surrounding canyon.

The Initial Study incorrectly concludes that the Project will not have an aesthetic impact due to the Project falling below the maximum height permitted in the Altadena Community Standards. Notwithstanding that the Project misstates its maximum height, the Initial Study misconstrues how to evaluate aesthetic impacts under CEQA. CEQA does not determine *aesthetic* impacts of a proposed project based upon compliance with local land use codes. Rather, courts look to the context of the Project Site, including personal observations about the aesthetic value of a site, physical changes to a site, and public controversy surrounding a proposed project. *See* California Environmental Law & Land use Practice § 21.09; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal. App. 4th 903, 939 (Negative Declaration for infill development project overturned because of significant adverse aesthetic impacts); *Ocean View Estates Homeowners Assn. v. Montecito Water Dist.* (2004) 116 Cal. App. 4th 396, 401 (Negative Declaration for covering reservoir with aluminum roof overturned because of significant aesthetic impacts).

3. The Project Will Have Significant Impacts On Wildlife.

In addition to the concerns that CCC presented concerning the Project's impact on the Project Site as a wildlife crossing in CCC's March 23, 2016 Comment Letter, CCC has uncovered additional evidence of the use of the Project Site as a wildlife crossing and the significant impact that

the Project will have on wildlife. The Project Site is located in Lower Millard Canyon, a crucial area for wildlife. Arroyo & Foothills Conservancy, Wildland Hubs and Corridors: San Gabriel Foothills. The County should reject the Project's Initial Study and prepare a full environmental impact report due to the project's potentially significant environmental impacts.

III. THE PROJECT MUST BE APPEALABLE TO THE COUNTY BOARD OF SUPERVISORS.

Section 21151(c) of the California Public Resources Code requires that a "nonelected decisionmaking body of a local lead agency . . . approval, or determination may be appealed to the agency's elected decisionmaking body." *See also* CEQA Guidelines § 15025(b)(1) ("The decisionmaking body of a public agency shall not delegate . . . approving a negative declaration . . . ."). Courts have expressly found that agencies cannot exclusively delegate their CEQA decision-making authority to non-elected decision-making bodies such as appointed planning commissions or hearing officers. *California Clean Energy Committee v. City of San Jose* (2013) 220 Cal. App. 4th 1325, 1338 – 1339. The County must allow for an appeal of the Project to the County Board of Supervisors.

IV. CONCLUSION.

CCC urges the County to reconsider this Project, reject the staff recommendation, and reject the Project. At a minimum, this hearing should be continued to a later date to adequately consider the above mentioned issues.

It is a pleasure working with you. Feel free to contact my Office with any questions or concerns.

Sincerely,

_____

Mitchell M. Tsai
Attorneys For Canyon Crest Conservancy

Attachments:

Floor & Section Plans (attached as Exhibit A);

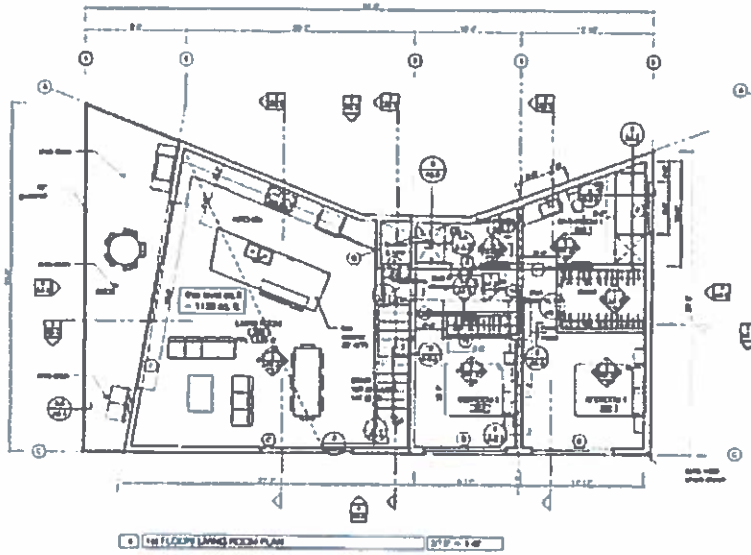
Building Model (attached as Exhibit B);

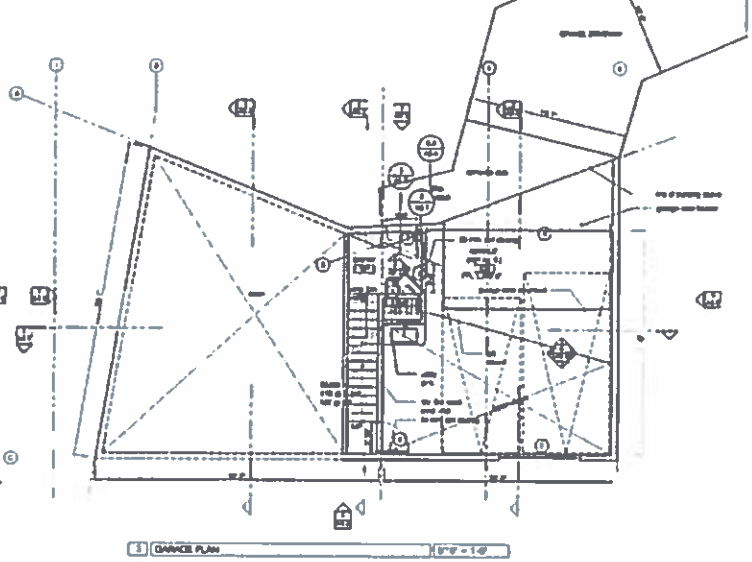
Elevation Plans (attached as Exhibit C);

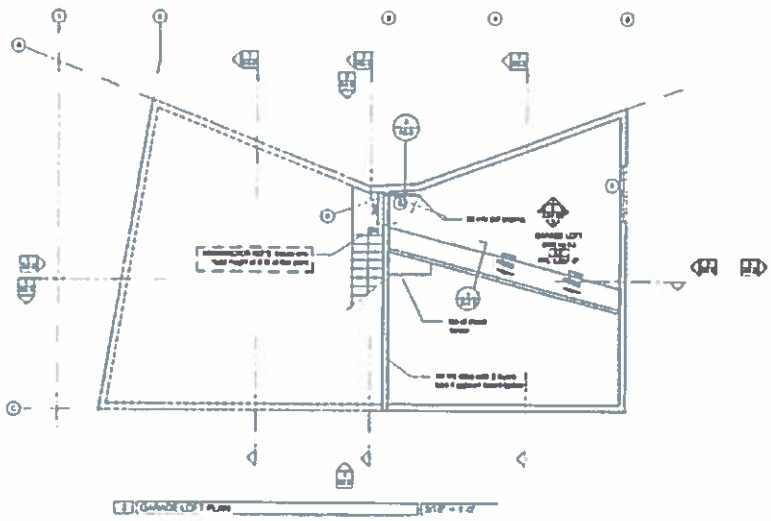
Letter from Rebecca Latta to Kristina Kulczycki, Senior Regional Planning Assistant, LA County Regional Planning (Mar. 30, 2016) (attached as Exhibit D); and

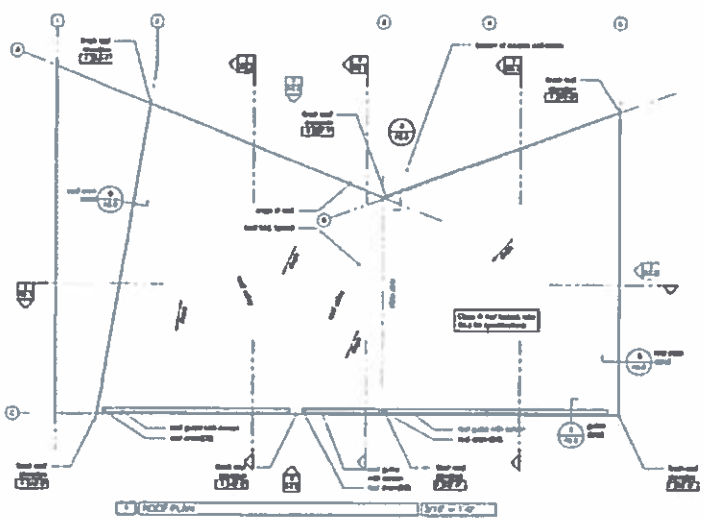
Arroyo & Foothills Conservancy, Wildland Hubs and Corridors: San Gabriel Foothills (attached as Exhibit E).

EXHIBIT A









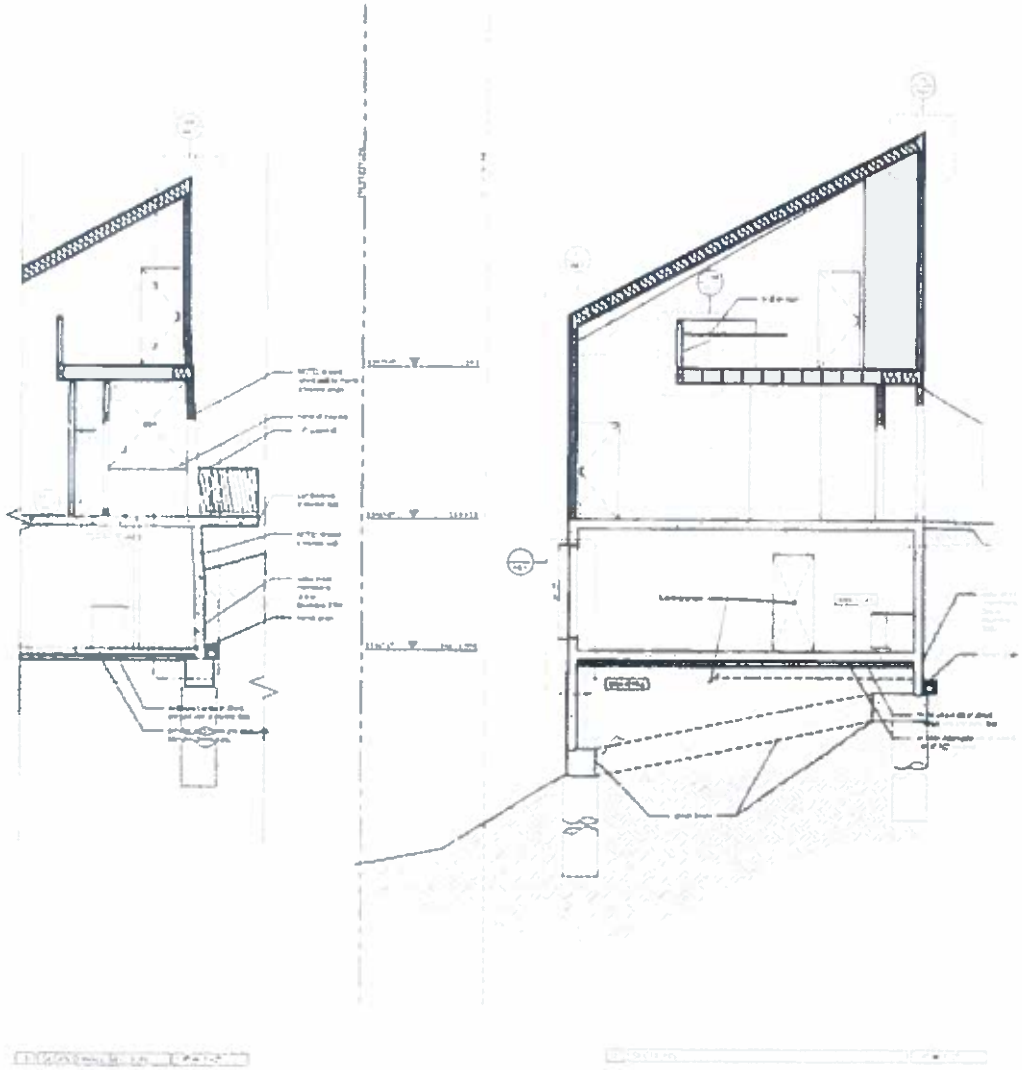
AD

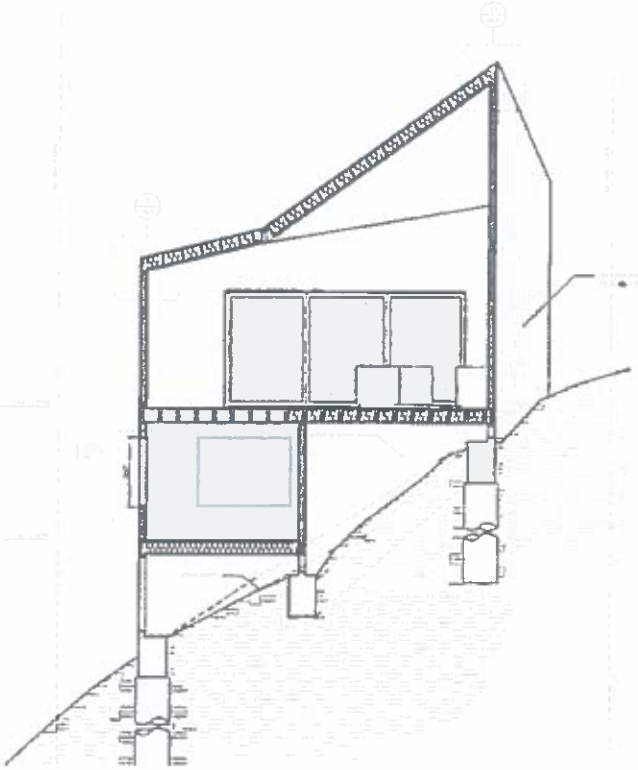
A 2.0

A 2.1

Floor Plans

AD





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Building Sections

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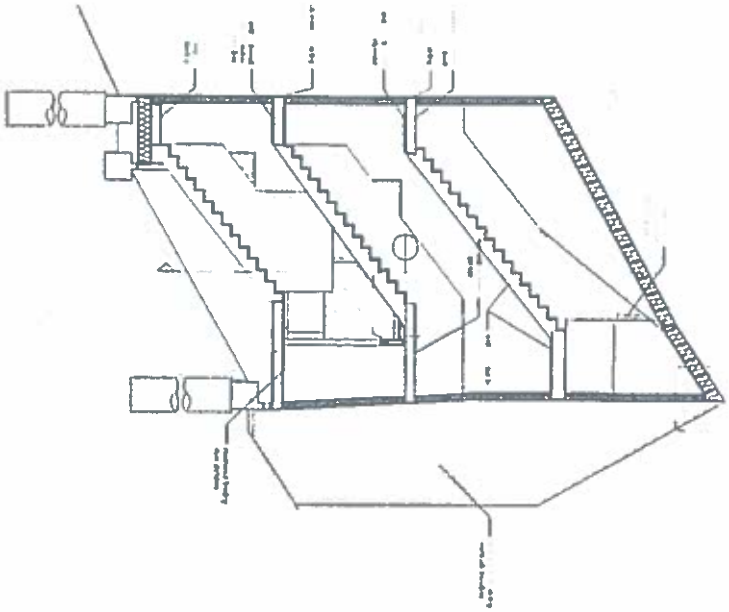

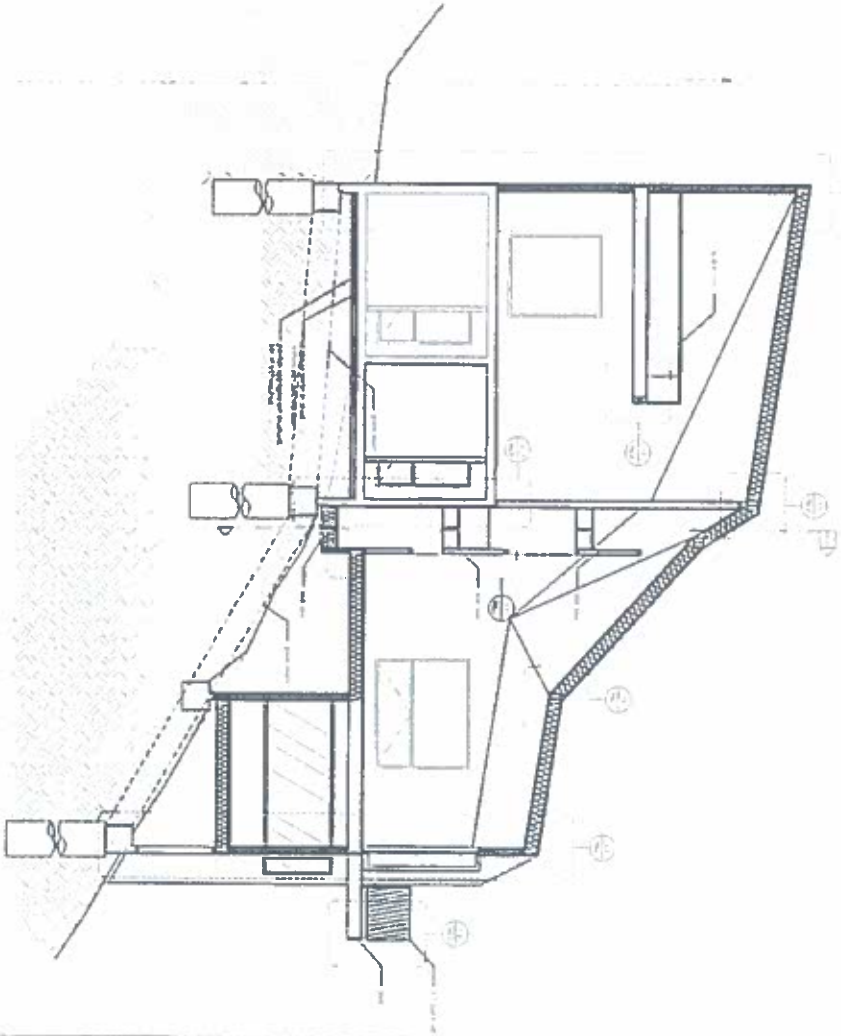

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Building Sections

AD

EXHIBIT B

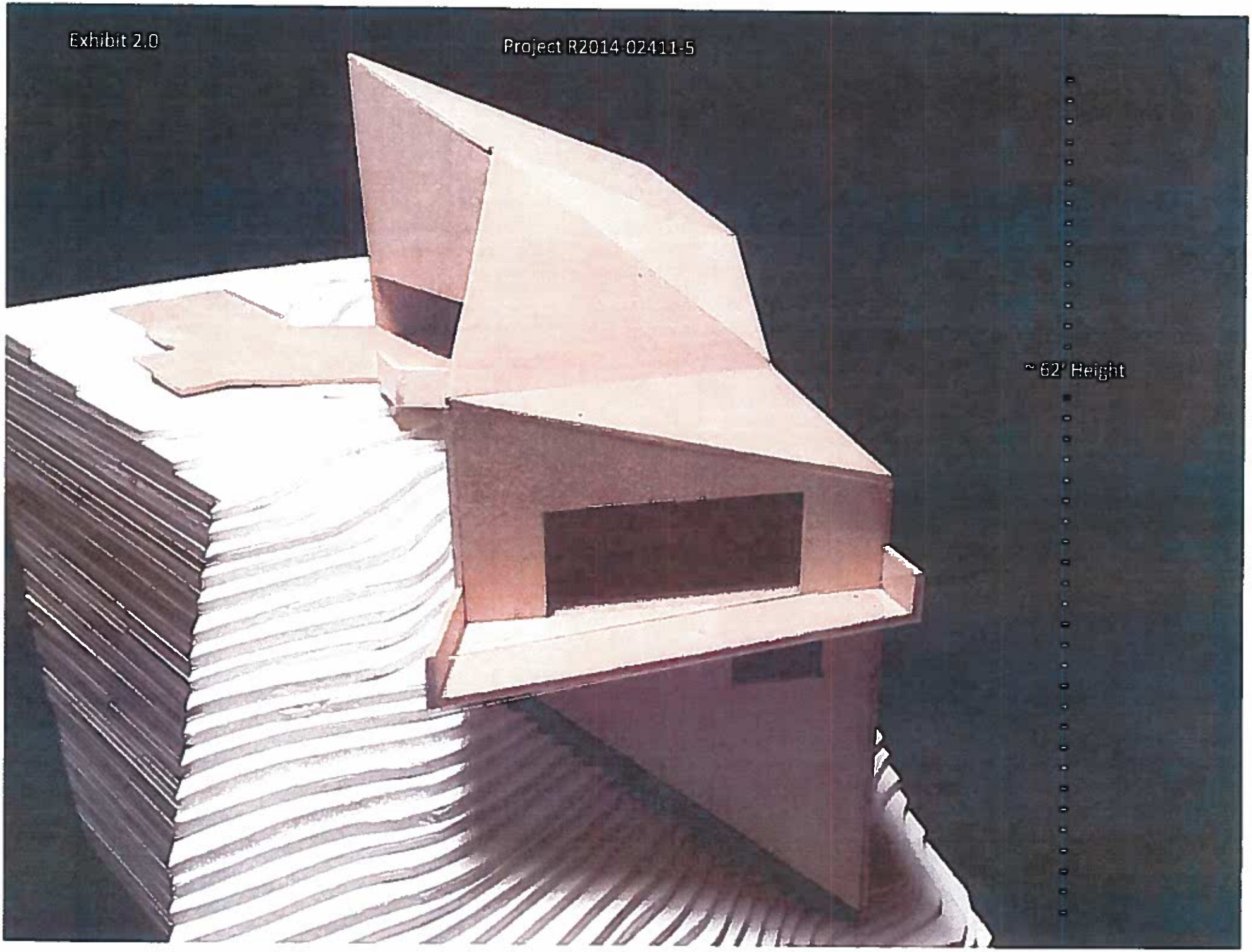
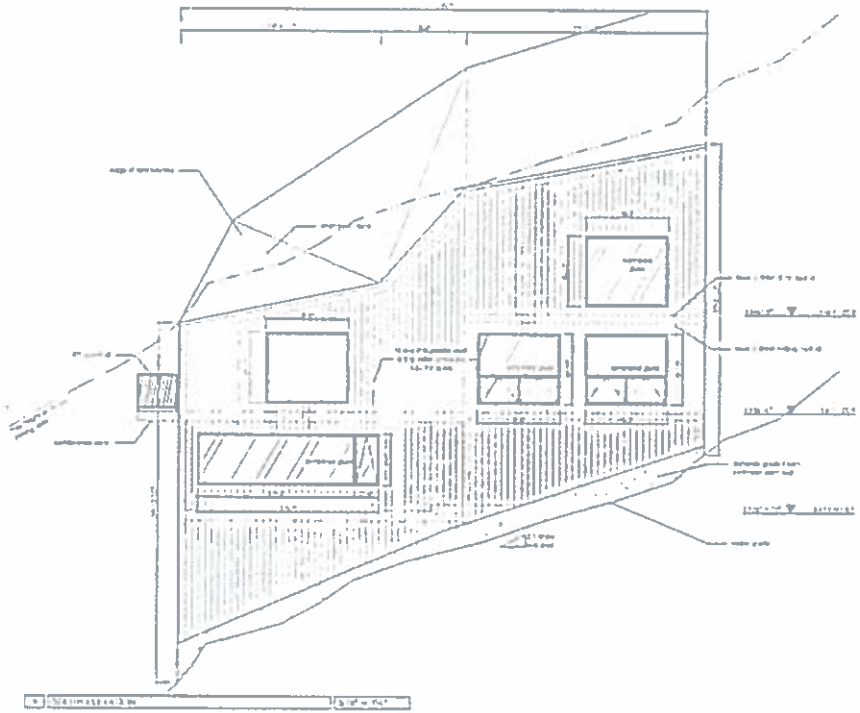
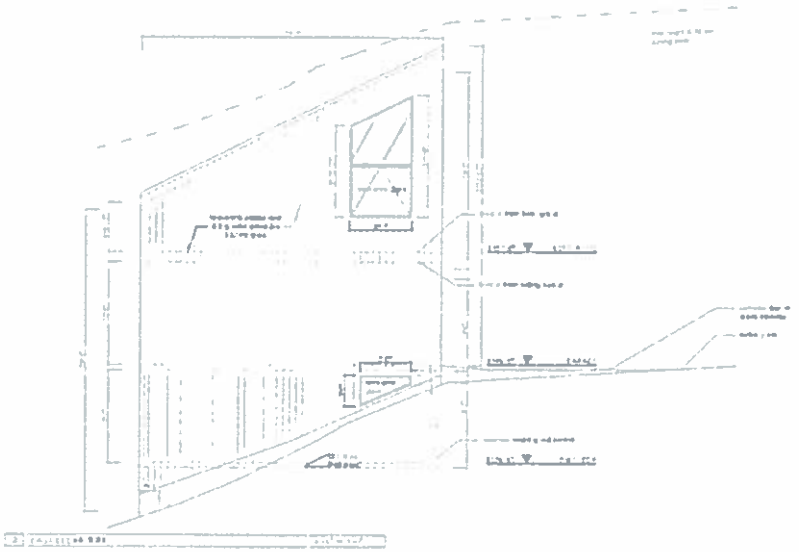
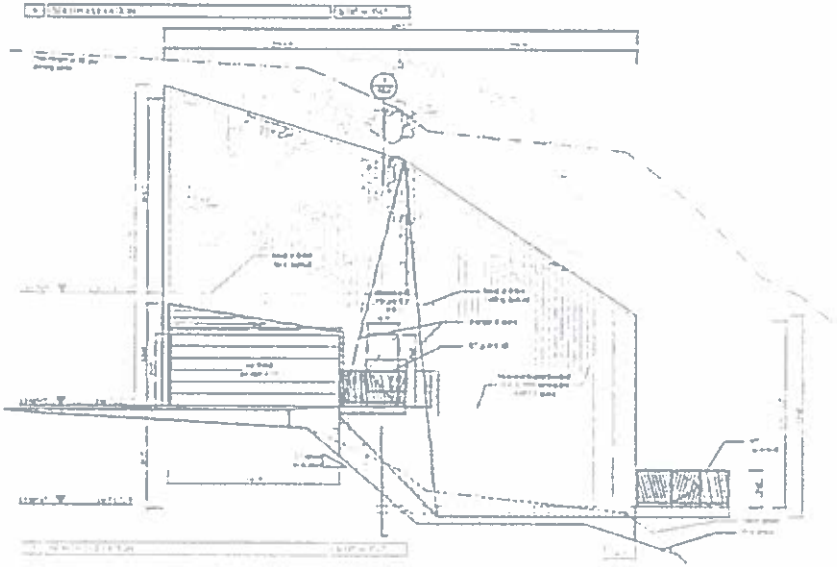


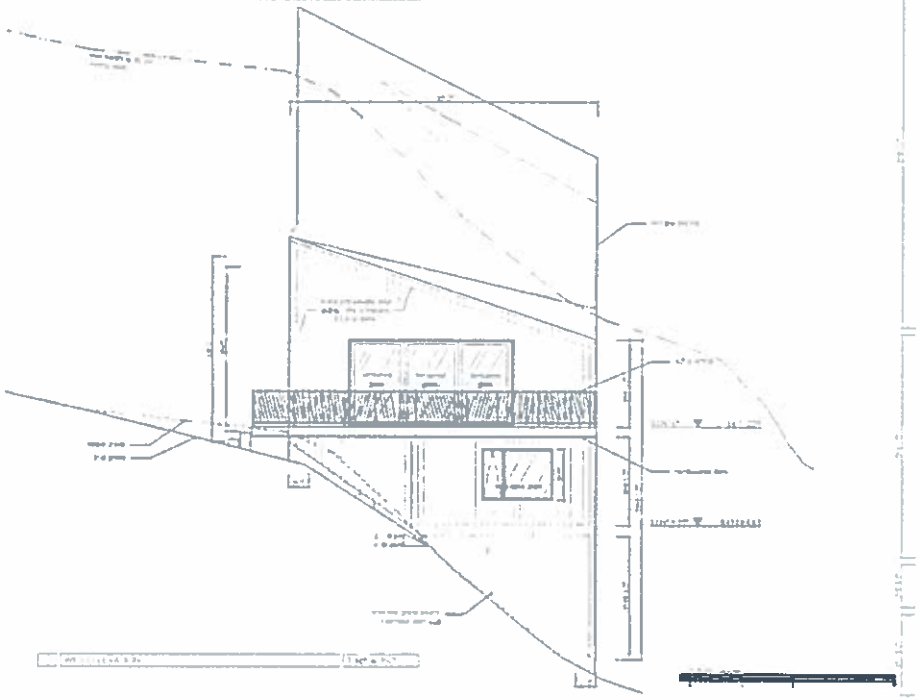
Exhibit 2.0
Project R2014-02411-5
~ 62' Height

EXHIBIT C









AD

A 4.0

EXHIBIT D

Rebecca Latta Arboricultural Consulting

359 North Westridge Avenue, Glendora, CA 91741 (626) 272-8444
rlattaconsulting@gmail.com Certified Arborist #WE4264A

March 30, 2016

Kristina Kulczycki
Senior Regional Planning Assistant
LA County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena. (REVISED)

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

Dear Kristina,

As requested, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from Jeantine Nazar dated December 3, 2014. I was surprised that the report missed many proposed impacts, did not include all the oak trees on the site and neglected to discuss the blue line stream and Riparian oak woodland habitat.

Quick Summary:

- *The property contains a significant ecological area and that can be defined as an oak woodland.* Species found on the site include coast live oak, canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lot has sycamore and scrub oak.
- *The soils engineering report recommends removing all vegetation, debris, existing fill and disturbed terrace on the flat areas to receive compacted fill to a rate of 90% (page 12).* Compaction can physically damage tree roots and prevent infiltration of water and nutrients. Plants need compaction less than 65 to 70%. These impacts are not considered in the tree report.
- *The LDC oak tree report analyzes a much smaller project than the current proposed project.* The walls on the plans are 24-feet and 18-feet, but the report only discusses one proposed 5-foot retaining wall. The report does not quantify impacts, only discusses impact distances from tree trunks. *In my opinion, trees #4, 5 and 7 may need to be removed to construct the proposed project from the combined impacts of grading and construction activities. Trees #1, 8 and 9 will have significant grading impacts.*
- *The oak tree report does not meet the requirements of the code.* The submittal for the project does not comply with Section 22.56.2090. (1) The location of oak trees within 200 feet of construction are not shown or discussed; (2) the location of surface drainage systems are

not shown on the tree map and; (3) the proposed change in grade within the protected zone of each plotted tree is not specified.

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10. That is not the case, however, since foundation pilings are within the protected zone and the tree is adjacent to a large boulder that may need to be removed.
2. Sewer line and water line construction impacts are not mentioned in the oak tree report. ***Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.***
3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.
    a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?
    b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.
    c. Where will materials be stored where they are not within the protected zone of any oak trees?
    d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees? Isn't that a jurisdictional drainage?
    e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?
    f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? **I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.**
    g. There is no mention of the required 5 feet of clearance required by the fire department for the structure.
4. There is a 20-foot high retaining wall mentioned in the Geotechnical report dated April 2014. The oak tree report does not discuss the wall or any backfill that might be required and how it would interface with the protected zone of oak trees.
5. The report does not address any impacts to the heritage sized oak tree on adjacent property to the north and additional tree over protected size on their property. Although there are no heritage size trees on the property, there are some within 200 feet of the project.

There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2-inches of fill soil can suffocate roots and cause root decay. At some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones [1] of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops.

6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage. Also the slope is full of large boulders that may require removal to construct the proposed pilings.

Photo from the bottom of the canyon on the applicant's property – downslope of the project.

[1] The protected zone is defined as the dripline plus 5 feet in the County oak tree ordinance.

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.
    a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.
    b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.

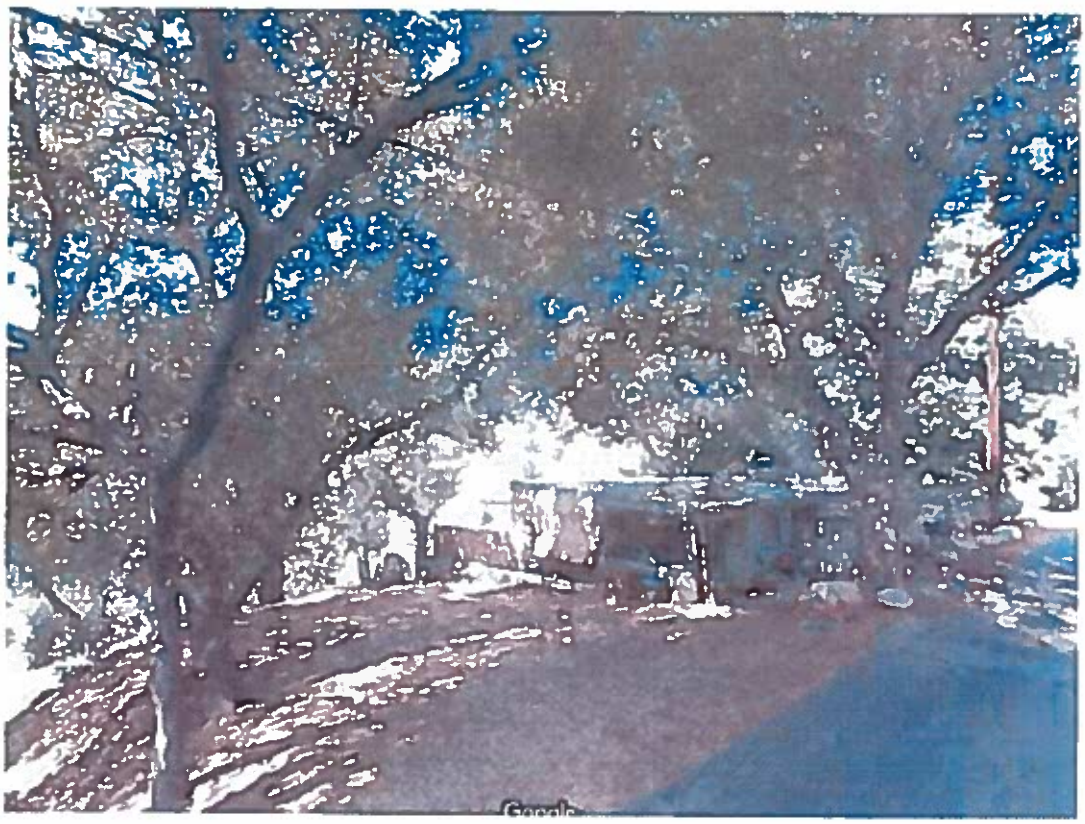
In my opinion, the applicant has not met the Burden of Proof as required in the LA County Oak Tree Ordinance Section 22.56.2100 because they are unable to prove that the construction will not endanger the health of the remaining trees on the subject property.

Please let me know if you have any questions.

Sincerely,

Rebecca Latta

Rebecca Latta
Consulting Arborist, Horticulturalist
626 272-8444 cell
rlattaconsulting@gmail.com
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists



Canopy covered flat pad where construction activity will occur – where will the crane fit? How will the steel be stored?

Drainage that leads to blue-line stream. Applicant plans to build house on top of drainage.

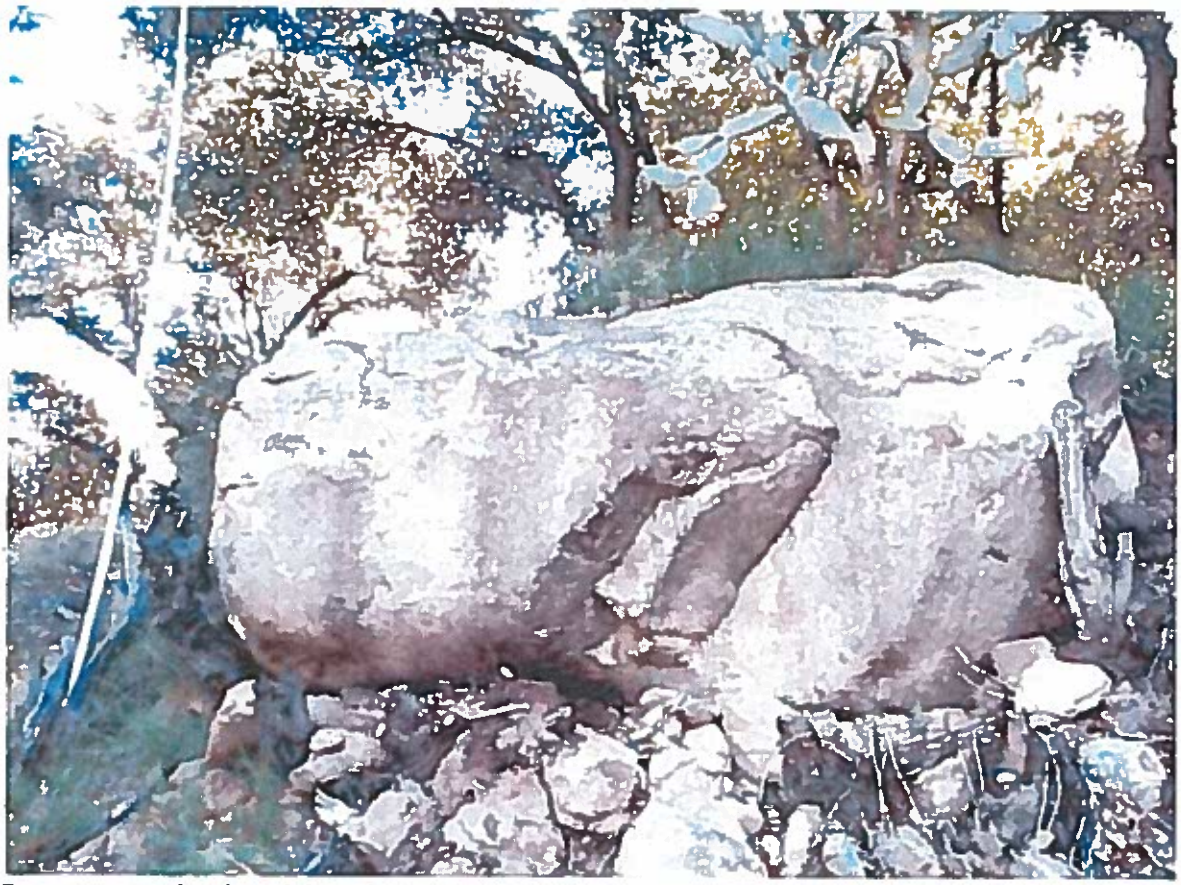
Measuring tape showing depth of fill soil on oak adjacent to flat pad.

Photo from the flat pad looking south toward the proposed building site.

Photo looking west from the flat pad

Photo looking east from the flat pad toward the street and the drainage

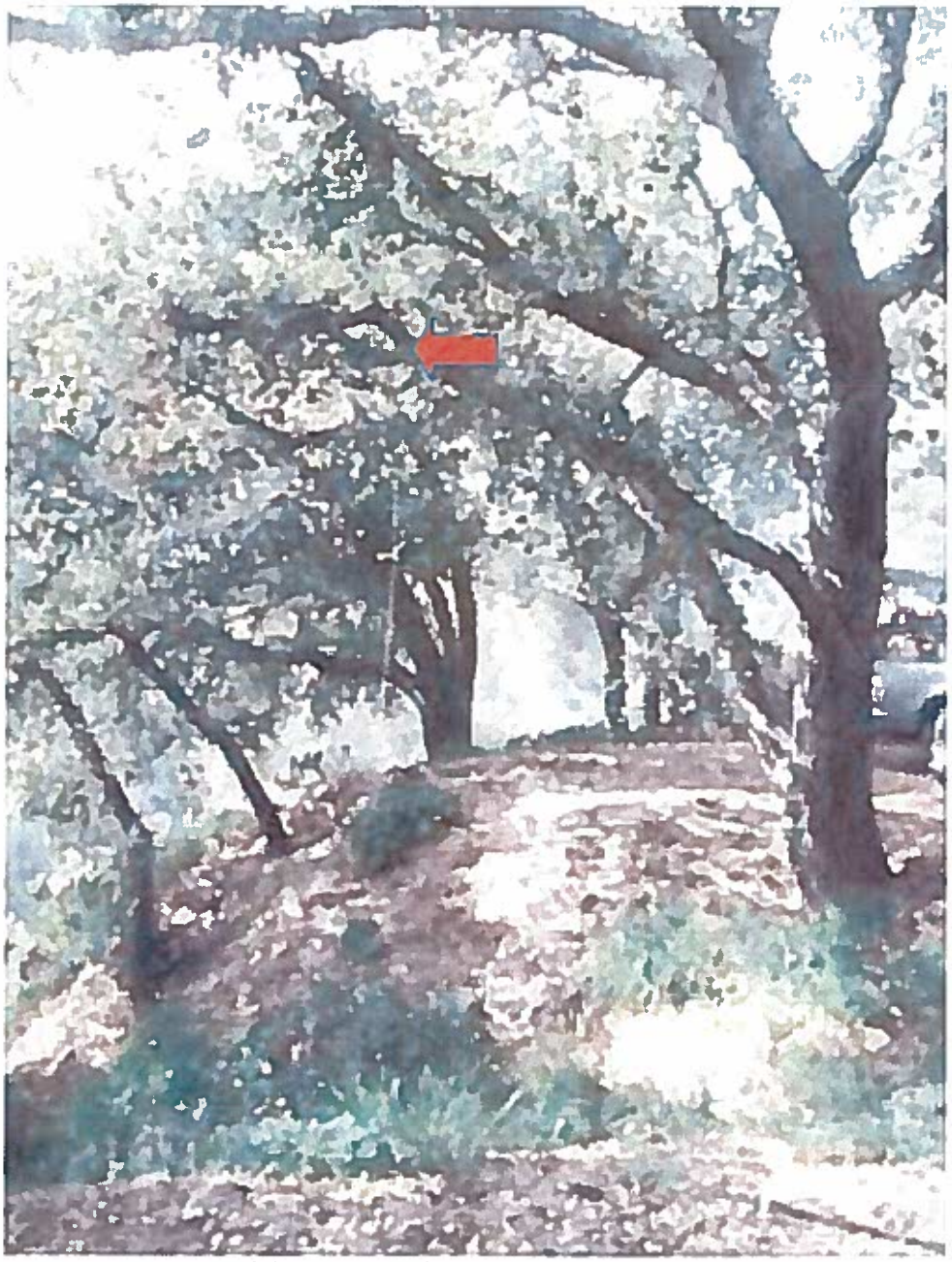
Fill soil on root zone



Large granite boulder that may need to be removed under the building site

Granite rocks that may need to be removed

Drainage channel leading to canyon



Estimated height of structure (see PVC pipe)

Oak trees from flat area to south of property

Looking north from property to the south

Trees buried in fill looking west

Steep slope where house is proposed

Oak #1 that will be impacted by grading

Rebecca K. Latta
359 North Westridge
Glendora, California 91741
(626)272-8444 cell
rlattaconsulting@gmail.com

Arboricultural, Horticultural and Biological Consultant

Education

- UC Davis School of Agriculture and Science, 1979-1980
- Pasadena City College, Photography and Graphic Arts, 1980-1981
- UC Santa Barbara, Environmental Studies/Geography B.A., 1982-1984
- UCLA Extension, Landscape Architecture Program 1985-1987
- 170 CEU's, Arboriculture, Forestry, Fire Safety, Birds, Insect, Diseases, Pruning, Planting, Invasive Plant Management, Chaparral Ecology and Water Management 1989-present.

Registrations and Certifications

- Graduate, American Society of Consulting Arborists Academy (2008)
- Certified Tree Risk Assessor #1217 (PNW ISA Chapter 2011)
- Certified Arborist #4264A Western Chapter ISA (1998-present)
- Nesting Bird Monitoring Training (2011, 2012 Edison International)
- CDFG Plant Collection Permit No. 2081(a) 12-28-V

Work Experience

Owner, Rebecca Latta Consulting. Glendora, California: Arboricultural, horticultural and water management consulting for large estates, residential homes, development projects, cities and utilities.

Beverly Park Estate Client (2013 to present): Comprehensive landscape evaluation and guidance for estate with multiple landscape challenges including insects and disease, uneven watering, plant mortality and poor performance. Currently working with client to reduce water use and improve overall soil and plant health on-site.

Trust for Public Land Pocket Park Projects, Los Angeles County (June 2012 to present): Hired to train maintenance crews to prune trees and native shrubs in a pocket park in Maywood. Additional projects were added and now scope of work includes review of landscape, irrigation and grading plans for 4 new pocket parks, landscape plant stock inspection and tree preservation construction monitoring.

Thornton Gardens, San Marino (October 2013 to present): Arborist services to provide horticultural opinion, plan review, tree risk assessment, tree preservation, construction monitoring and other services as requested for 13-acre garden in San Marino in development for future addition to Huntington Gardens.

Arborist Services, City of La Canada (August 2010 to present): Arborist services to provide plan review, tree risk assessment, construction monitoring and other services as requested for Planning and Public Works. Projects included Woodleigh Reconstruction Project, Mayor's Discovery Park, Memorial Park Slope Reconstruction, Jessen Bridge Reconstruction, Lasheart Sidewalk Feasibility Study and on-call tree assessment and tree-related code enforcement projects.

Silver Lake Reservoir Tree Impact Assessment and Preservation Plan. LADWP (2011 to present): Arborist services to evaluate plans for proposed improvements and upgrades to supply lines at the reservoir. Reviewed nesting bird survey and provided arboricultural information to be inserted in biological report for the project. Reviewed current landscape and tree preservation specifications and provided recommendations for new language. Attended community meetings as requested.

Woolsey Canyon, City of Sherman Oaks (LA County) (2012): Arborist services to provide a physical survey of tree characteristics, determine health and assess construction impacts for an oak tree preservation report for a 60-acre site in a wooded canyon in the Sherman Oaks area. Oak tree report was approved along with the Biological Report in October 2013. (Partnered with Converse Consultants and Gonzales Biological Consulting).

Arborist, Noreas Incorporated. Irvine, California. (2014 to present): Arborist and biologist for an environmental engineering and science consulting firm providing biological survey, mitigation monitoring services to Edison International.

Senior Arborist, Forde Biological Consultants Inc. Camarillo, California. (2010-2013): Arborist and biologist for a small environmental consulting firm providing resource inventory and monitoring services. Responsible to manage and conduct oak tree surveys and develop reports to satisfy local tree preservation and coastal preservation requirements.

Adjunct Professor, Citrus Community College, Glendora, California. (2010): Public Works Program (Fall/Winter 2010): Taught Urban and Municipal Tree Care (PW 158) and Urban Forest Management Planning - Toolkit (PW 159).

Senior Arborist, SWCA Environmental Consultants, South Pasadena, California. (2007-2012): Arborist for environmental consulting company providing natural and cultural resource services. Responsible to promote, manage and provide technical expertise for arboricultural and horticultural projects.

Otay Mountain Tecate Cypress Study : Worked with Paul Zedler Phd., Biologist and Fire Ecologist and Michael Kline., specialist for Thorne's Hairstreak Butterfly to study the effects of fire on a population of Tecate Cypress on Otay Mountain, San Diego County, for the Bureau of Land Mangement. The study included an extensive bibliography of known resarch on the cypress and contained fire and population management strategies based on our research and field studies.

Arborist and Horticultural Specialist, Stone Canyon Water Quality Improvement Project, Los Angeles, California (2003-2011): Provided arboricultural, landscape and horticultural services in support of the Los Angeles Department of Water and Power's (LADWP's) Stone Canyon Water Quality Improvement Project. Developed habitat restoration plan for manufactured slopes created from tunnel spoils on the property. Created specifications for planting and irrigation. Monitored construction and invasive weed removal by the landscape contractor.

Santa Monica Urban Forest Master Plan, Santa Monica, California (2009-2012): Worked with a landscape architect (Artecho) to develop a 50-year long-range master plan for street and park

trees for the City of Santa Monica. Effort included research, tree succession planning, specifications for tree preservation and replacement policies.

Los Angeles County Oak Woodland Habitat Conservation Strategic Alliance, (2008-present). Provided list of oak dependent species for Oak Woodland Habitat Conservation Guidelines. Worked collectively with alliance of arborists, foresters and community leaders to develop recommendations revising the Los Angeles County General Plan to comply with the State Oak Woodland Preservation Act.

Consulting Arborist, City of Agoura Hills, Agoura Hills, California. (2002-2007): Responsible for review of plans and documents for compliance with City of Agoura Hills oak tree, environmental, and landscape ordinances; nursery stock inspections; and field inspections as required. Attended planning commission and community meetings associated with projects. Provided backup to city arborist during emergency windstorm events to assess hazardous trees and prioritize work. Performed oak tree surveys, mitigation monitoring and other arboricultural duties as requested. (Subconsultant to Seven Elk Ranch LLC.)

Urban Forest Supervisor, City of Pasadena, Pasadena, California. (1998-2002): Responsible for comprehensive management of 57,000 city street trees, tree preservation and planning programs, grant writing, administration and planting implementation. Researched and developed a draft native tree preservation ordinance. Revised contract specifications for tree planting, pruning and removal. Updated urban forestry management plan including revisions to the Master Street Tree Plan through city commissions with required CEQA environmental documentation.

Lower Arroyo Seco Wash Restoration - Reviewed and recommended modifications to the restoration plan proposed by Waste Management for mitigation of the Sunshine Canyon Landfill in the Arroyo Seco Wash in Pasadena, California.

Eaton Canyon Natural Area Restoration – Reviewed restoration plans and monitored for compliance with environmental documents during removal of non-native invasive species and planting of restoration species. Inspected nursery stock for health and species confirmation.

Landscape Conservation Specialist, City of Pasadena Water and Power Department, *Pasadena, California.* (1990-1997): Designed and implemented landscape water and energy conservation programs for the Pasadena Water and Power Department. Programs included a strategic shade tree planting program (TREE – Trees as a Resource for Energy Efficiency) and irrigation water audits for large landscape areas. Performed feasibility study of reclaimed water use for Pasadena's largest landscape customers. Duties included partnering with the City Street Tree Division for neighborhood tree plantings and landscape water conservation workshops.

Presentations/Training

Basic Tree and Shrub Pruning. Presented at Los Angeles County Arboretum, Saturday 3-hour Workshops with hands-on training. January 25, 2014.

Tree Health from Nursery Sapling to Garden Specimen. Presented at Los Angeles County Arboretum Thursday Garden Talks. October 24, 2013.

What is a Tree Worth? Presented at Inland Urban Forest Council Annual Workshop – "Trees Make Dollars and Sense" at the Riverside Corona Resource Conservation District, Riverside, California. June 13, 2013.

New Oak Threats Workshop: Workshop on the Care and Treatment of Common and New Threats to your Oaks. Huntington Library, Art Collections and Botanic Gardens, Friends Hall. January 12, 2013.

Urban Forest Master Planning. Presented at the Inland Urban Forest Council Annual Workshop – "Mature Tree Management" at the Riverside Corona Resource Conservation District. Riverside, California. October 30, 2012.

Consulting Arborist Toolbox. Presented at Inland Urban Forest Council Quarterly Seminar, Sims Tree Learning Center. June 14, 2012.

Tree Pruning and Care. Presented at Watershed Council Seminar 'Landscaping Lightly', Los Angeles County Arboretum, Ayres Hall, March 18, 2012. 250 attendees.

Ensuring Healthy Trees for the Urban Landscape. Presented at the Los Angeles and San Gabriel Rivers Watershed Council Seminar at Rancho Santa Ana Botanic Gardens, June 9, 2011

Tree Construction Preservation and Impact Assessment. Presented at the California Urban Forest Council Inland Chapter Workshop at the Riverside Corona Resource District Headquarters, June 16, 2011.

The Southern California Woodland Garden: Using Native Plant Communities to Design Sustainable Gardens. Presented at Theodore Payne Foundation, November 14, 2009.

'Oaks and Fire: Examination of the Effect of Fire on Oak Canyon'. Presented at Oak Canyon Park, Anaheim, California. Given jointly with Ty Garrison at A Day in the Canyon, Discovering Oaks Seminar, Western Chapter International Society of Arboriculture, September 18, 2009.

Oaks of Los Angeles County: Identification and Associated Species. Presented at the California Native Plant Society, San Gabriel Valley Chapter, September 24, 2009.

Programs

Trees as a Resource for Energy Efficiency (TREE) Program. The 5-year strategic shade tree planting program for municipal customers in Pasadena to reduce peak summer energy use from air conditioning. The program won the California Municipal Utilities (CUMA) Energy Innovator Conservation Award. (1993).

Protector of Water/Protector del Agua (in conjunction with MWD). Program to train workers for to maximize irrigation efficiency. (1996).

Landscape Irrigation Audit Program: 3-year pilot program to determine potential water savings from large landscape customers in the City of Pasadena. (1994-1997).

Dry Climate Garden Awards Program: 2-year program designed to reward homeowners who switched out turf for native or Mediterranean climate landscapes with efficient irrigation. (1995-1997).

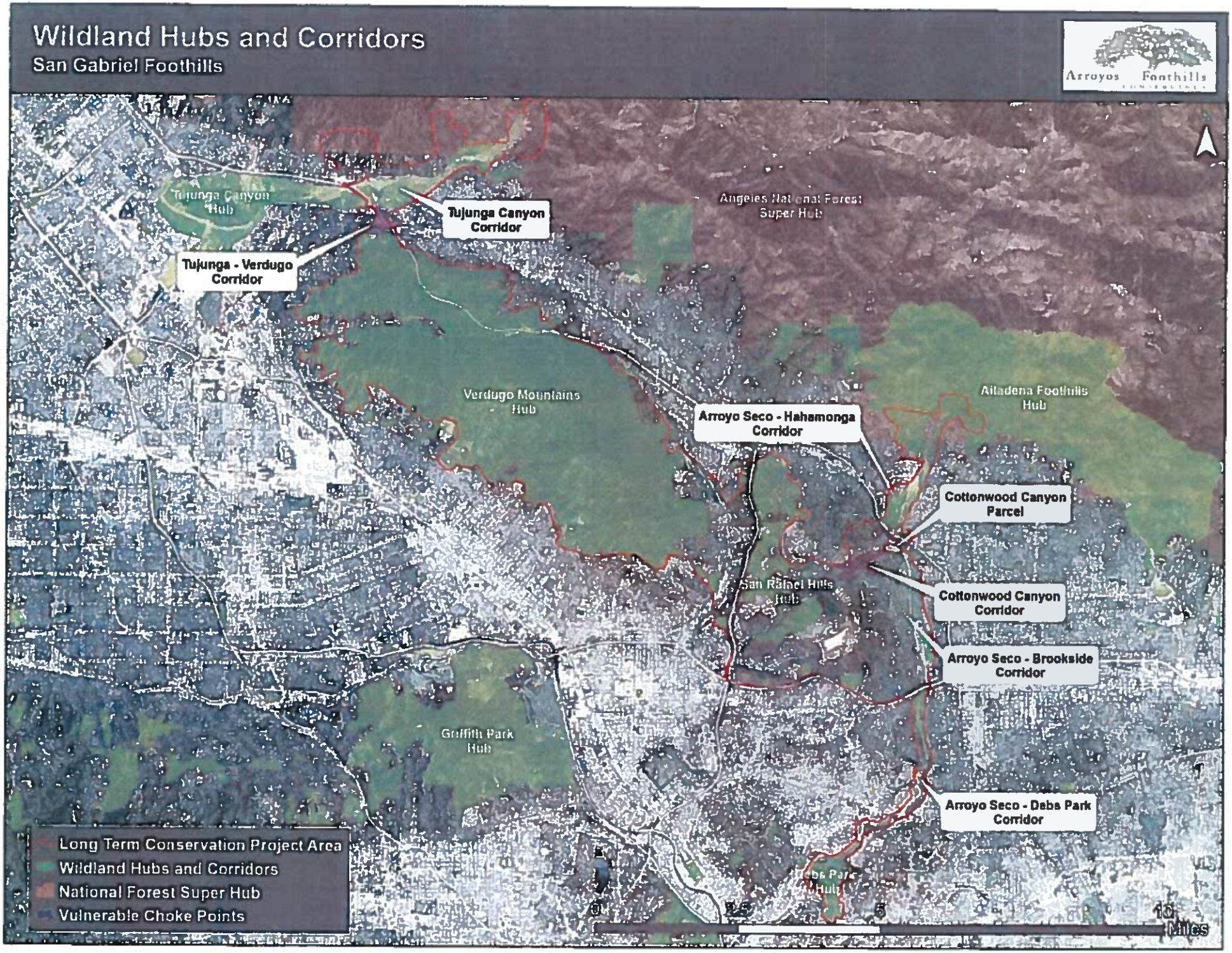
Professional Affiliations

- California Native Plant Society, San Gabriel Valley Chapter, Field Trip Chairman, 2014
- Inland Urban Forest Council Board Member, 2008 – present
- Scholarship Committee Street Tree Seminar, 2011

- Landscape and Planning Representative Board Representative, California Urban Forest Council, 2009
- Member, International Society of Arboriculture Western Chapter (1998 – present)
- Member, American Society of Consulting Arborists (2008 – present)
- Member, Los Angeles County Oak Woodland Habitat Conservation Strategic Alliance
- Member, Street Tree Seminar (1998-2003), Sergeant at Arms 2001, Secretary 2002.

References provided upon request.

EXHIBIT E


Wildland Hubs and Corridors
San Gabriel Foothills
Arroyos Foothills
Tujunga Canyon Hub
Tujunga Canyon Corridor
Angeles National Forest Super Hub
Tujunga - Verdugo Corridor
Verdugo Mountains Hub
Arroyo Seco - Hahamonga Corridor
Altadena Foothills Hub
Cottonwood Canyon Parcel
San Rafael Hills Hub
Cottonwood Canyon Corridor
Arroyo Seco - Brookside Corridor
Griffith Park Hub
Arroyo Seco - Debs Park Corridor
Long Term Conservation Project Area
Wildland Hubs and Corridors
National Forest Super Hub
Vulnerable Choke Points
0
2.5
5
10
Miles

Kristina Kulczycki

From: Valerie Scott [valerie.j.scott@gmail.com]
Sent: Monday, April 04, 2016 2:44 PM
To: Kristina Kulczycki
Subject: Re: R2014-02411

To whom it may concern:

Shutting down Canyon Crest really cannot be closed for construction, both for fire and for transit. There have been a few occasions where only one lane was shut down which generates a large traffic jam entering and exiting the Meadows. This seems like both a hazard and a serious burden on Meadows residents.

--
Valerie J. Scott, Ph.D.
Nano and Micro Systems Engineer
Jet Propulsion Laboratory
office: 818-354-0515
cell: 626-639-5231

Kristina Kulczycki

From: [redacted]
Sent: Monday, April 04, 2016 2:14 PM
To: Kristina Kulczycki; Stephen & Vandana
Subject: Stephen and Vandi

Hi I just wanted to say that I support Stephen and Vandi proposed home that they want to build, I think it is good for the neighborhood. I own two pieces of property on that street, near where they live. BUT, I have to do this anonymously, it is a very sticky situation and many of my neighbors are my friends. So please, do not share my name, but I am a property owner and I do support their home being built.
thanks

Kristina Kulczycki

From: Anne Van Valkenburgh [avanvalkenburgh@weho.org]
Sent: Monday, April 04, 2016 12:11 PM
To: Kristina Kulczycki
Subject: Project No. R2014-02411-(5), ROAK 201400035 and RMCP 201400014

Categories: Red Category

RE: APN: 5830-003-016 on Canyon Crest Road within the Altadena

Hearing: Tuesday, April 5, 2016 at 9:00 a.m.

Dear Kristina Kulczycki,

I am opposed the new construction of a single family home in my neighborhood. Here are my reasons:

I live in The Meadows, Altadena and drive the road that goes up to the top at least twice a day. The proposed area is near an area on Canyon Crest that is narrow. In my opinion too narrow to support any type of new construction

Why can't the owners find a home that already exists in the neighborhood, there are plenty for sale.

It's a shame they have no problems cutting down ancient oak trees! Isn't there an environmental impact to address this absurd thought! Plenty times I've seen deer grazing right near the area they are proposing.

Overall this would be a big mistake and disgrace to the existing flora and fauna in the arroyo.

Thank you for your thoughtful considerations in not approving this project.

Thank you.

Anne Van Valkenburgh
Administrative Specialist IV
Department Public Works
City of West Hollywood
8300 Santa Monica Blvd.
West Hollywood, CA 90069
☎:323.848.6387| 🖷:323.848.6564 | ✉:avanvalkenburgh@weho.org

Download the "Power Tool" that can help get things fixed quickly

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Kristina Kulczycki

From: White, Victor E (389H) [vewhite@jpl.nasa.gov]
Sent: Monday, April 04, 2016 11:46 AM
To: Kristina Kulczycki
Subject: R2014-02411

Categories: Red Category

Friends at the LA county planning commission,

I'm a long term resident of the Meadows in Altadena, and I disapprove of the proposed development at 3577 Canyon Crest Road. Note this is my opinion, and in no way represents JPL, my employer.

Here's a partial list of reasons why I'm against it:

1) It doesn't fit the neighborhood. It's disruptive to the aesthetic of the neighborhood and destroys a bit of the quaint rural charm. i.e. it will hurt property values.

2) They are going to take down ancient oak trees.

3) Building a house on a slope approaching 45 degrees in a highly protected canyon will have watershed impacts. Did anyone look at how this may effect the arroyo toad for instance?

4) Having a house there will constrict a narrow section of the road on an already difficult section of road.

There are plenty of other houses in the Meadows for sale. Why must they destroy a chunk of what makes the area special.

Much thanks for providing us the opportunity to comment on this item which is of importance to our neighborhood.

Victor White
4229 Canyon Crest Road,
Altadena, CA 91001
(626)-975-3129

//----------

Victor White
Jet Propulsion Labs
Nano and Micro Systems
4800 Oak Grove Drive
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Pasadena, CA 91109-8099

vewhite@jpl.nasa.gov
Business phone: +1 818 354-8593
Cellular phone: +1 626 975-3129
Fax number: +1 818 393-4773

DISCLAIMER: Opinions expressed in this e-mail, are the author's only, and in no way are endorsed by JPL

Kristina Kulczycki

From: Dave Doody [dave@SpacecraftKits.com]
Sent: Sunday, April 03, 2016 6:09 PM
To: Kristina Kulczycki
Cc: dave.doody@jpl.nasa.gov
Subject: Urgent comment on R2014-02411

Categories: Red Category

April 3, 2016

To:
Kristina Kulczycki
LA County DRP
With regard to the R2014-02411 proposal

Dear Ms. Kulczycki:

This residential proposal is unusual in many ways. Possibly the most important facet is one that many people might not have in mind, especially those who have not (yet) experienced wildfires in the Altadena canyons. Nonetheless it is very important to consider wildfires; they have a not-so-low probability of occurring, combined with an extraordinary severity of impact.

If this project can be accomplished without ever shutting off traffic on the narrow, winding, Canyon Crest Road, or without restricting traffic to one narrow lane, then there would be little concern.
However, we suspect that heavy equipment may have to be in place for significant periods of time for construction if this proposal is allowed to proceed.

You may need to be advised that Canyon Crest Road provides the single access to more than 200 homes located one mile further up the road.
In the event of wildfire, the threat of which increases each year unfortunately, Canyon Crest Road must immediately service both incoming fire-fighting equipment and personnel, and the simultaneous emergency egress of evacuating residents. LA County has already seen fit to restrict the use of filming equipment along the bottle-neck length of this road because of the danger borne by residents.

Please think out the impact of having one or more lanes shut off for construction, even if only for a day or two: (1) Emergency access by heavy fire-fighting equipment and personnel would be hampered. (2) Residents would be hindered while trying to make emergency egress. And (3) Any construction employees that happen to be on site when fire breaks out would also be trying to evacuate, and possibly starting to move heavy equipment to prepare for their own evacuation, further blocking the road.

It would be unacceptable to allow, for any period of time, construction equipment to cause any blockage of Canyon Crest Road, even if "traffic control" personnel or "fire safety" personnel were also present. The need to have continuous unobstructed two-way traffic on this road was clearly seen during the Station Fire of 2009. This was a rather benign evacuation, though, since high winds were not a factor. However, if wildfire were to occur during a windy condition, there would be no margin of time in which to try to re-open a blocked lane.

Thank you for considering this important facet of the R2014-02411 proposal.

Sincerely,

Dave Doody
4239 Canyon Crest Rd
Altadena, CA 91001
626.398.5133

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

March 31, 2016

TO: Hearing Officer

FROM: Kristina Kulczycki KK
Zoning Permits North Section

SUBJECT: Project No. R2014-02411-(5)
Minor Conditional Use Permit No. 201400014, Oak Tree Permit No. 201400035, and Environmental Assessment No. 201400194
HO Meeting: April 5, 2016
Agenda Item: 10

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and additional encroachments into the protected zone of nine other oak trees.

Please find three additional enclosed support letters for the above referenced item that were not included in the hearing package provided to the Hearing Officer.

On March 17, 2016, the applicant submitted an email and revised plans clarifying the correct maximum height of the building. These were posted on the Department of Regional Planning website (http://planning.lacounty.gov/case/view/r2014-02411/) prior to the release of the hearing package. The maximum height of the building is observed on the southern elevation plan as 34 feet and 10 ½ inches. The staff report and findings reflect this height; however, the Initial Study was posted prior to this clarification and therefore, identifies the maximum height as 33 feet and 10 inches. There are two instances in the Initial Study where the incorrect height is noted; one is in the project description and the other is within the "Aesthetics" evaluation. Enclosed hereto is a revised project description and update to the Aesthetics evaluation for the Initial Study and an explanation as to why this change does not require recirculation.

If you need further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:KK

Enclosures: Support letters
Revisions to Initial Study with clarification of revisions

CC 10172013

Kristina,

Although we believe we have addressed in other responses and on our website (https://bitly.com/1VnrSrM) those points included in the Asplund, Thurstans and Lynch letters received shortly before the initial hearing package was created, we would like to address some of the claims that Michael and Mindy (hereafter MM) have made in the letter addressed inline below.

Michael and Mindy Hickman
3617 Canyon Crest Road Altadena, CA 91001
(626) 398-6471 vht@att.net

Re: Project & Permits #R2014-02411 (5), ROAK 201400035 and RMCP 201400014

We are opposed to granting a Minor CUP for this project as currently proposed for several reasons dealing with issues of negative environmental impacts, public safety and several items that are in conflict with The Altadena Community Standards, Hillside Management, Oak Tree Protection and Significant Environmental Area L.A. County Ordinances.

Considering the proposed building site is located in a unique and environmentally sensitive area of the Altadena Foothills, a site visit is crucial to awareness and understanding of the issues involved and should be a requisite condition of passing a ruling on this project.

We feel the applicant has been deliberately deceptive in his zoning application and additional presentation regarding the scope and impacts of the proposed project. For instance, in section 22.56.215.3.a, the applicant states as "not applicable" the requirement for "Identification and location of the resources constituting the basis for classification of such area as a significant ecological area (SEA) where not provided by the environmental assessment or the initial study for an environmental document"; when actually, the property traverses Millard Canyon, a known SEA, crosses a Blue-line stream and terminates on a significant ridgeline that divides Millard Canyon from the Arroyo Seco Canyon.

As is noted in the initial study created by the Department of Regional Planning, it is accurate to state that SEA regulations are not applicable because "the project site is not located in a currently mapped Significant Ecological Area (Source: General Plan 1980 Special Management Areas Map)". We will note that a part of our property became part of a Conceptual Significant Ecological Area as defined under the LA County SEA Program on December 10, 2014 (http://planning.lacounty.gov/sea/proposed), after we applied for our permit and completed the burden of proof. The footprint of the home is outside this conceptual SEA, the boundary of which was drawn to avoid the footprints and adjacent yards of neighboring residences along the west of Canyon Crest. Quoting from the DRP materials, "Conceptual SEAs will replace the current adopted SEAs in these three communities only as each community amends or updates its own community plan." Therefore, this remains a latent designation.

Millard Canyon is also a known Wildlife Migration Corridor providing habitat linkage for several and diverse species, including mule deer, mountain lion, bear, raccoons, foxes, bobcats, skunks, opossums, coyotes, as well as several avian species, such as great white egrets, Cooper's hawk, Swainson's hawk, Peregrine falcon, golden eagle, vultures, several species of owls, to name a few. The proposed specific building site is a known wildlife route where the animal species listed have been observed by myself or other local residents.

Millard canyon is an important wildlife corridor between the San Gabriels and the Arroyo Seco and wild lands farther south and west. However, our construction at street-level will have no effect on this wildlife corridor. A corridor is a connection between habitats. The footprint of our home connects the

riparian canyon environment to the largely fenced, developed lots and roads of lower Canyon Crest, Florecita Farms and NW Altadena. MM's own home two houses to the N is as much a potential wildlife corridor as our own. However, they choose to fence their home across its frontage. In contrast, we don't intend to fence our lot. What animals choose to find their way in this developed space will continue to be able to find a way across our lot, more easily than across those adjacent.

Intrusion and disruption of the canopy and protected zones of the several oak trees noted in the proposal can cause detrimental habitat fragmentation, loss of habitat and food source that can drite wildlife into nearby residences in search of alternatives. (Additional information regarding the property and the SEA are noted in the Independent Arborist Review submitted by Rebecca Latta Arboricultural Consulting). We feel a biological assessment of the property is warranted prior to the commencement of any construction activity.

In response to section 22.56.215.F.1.a, the applicant states "from the street, a very small footprint would be evident", This statement is completely false as evidenced by the various renderings he has supplied, which are very misleading as they are consistently underscaled in an attempt to make the proposed structure appear smaller than actually intended.

A visual footprint is defined largely by the width of a home as it faces the street. As is noted in staff comments, the minor axis of our home faces the street and is at its narrowest barely above the county's 20ft guideline for minimum width of a home, at 21'9". This width increases to only 29'5" at its widest. This is a small footprint in comparison to our neighbors. The apparent height of a home could also be seen as contributing to its "footprint," and we took care to preserve without any pruning and with minimal encroachment the three oak trees nearest the street that will continue to shroud the roofline of our home, as seen from the street and many adjacent residences.

This is one of the reasons a site visit is necessary to assess the actual impacts of the proposal.
In response to section 22.56.21S.F.I.b, the applicant states "The project attempts to preserve the natural character of the space by going to great lengths to preserve the existing oak trees and use them to minimize visual impacts"; when actually, the project as presented would completely obscure the natural character of the space by damaging and removing several oak trees and completely obstructing canyon views from the street and from several nearby residences, as well as blocking light, air and compromising privacy of some residents.

We have addressed in other responses the very limited extent to which existing canyon views from adjacent residences will be impacted by our home, and the extent to which existing oak tree canopy will remain.

It appears from the proposed project plans that the structure would be placed very close to a very old sewer siphon line that services The Meadows area of Altadena. and that a deep hole for a foundation piling would have to be excavated in very close proximity to the sewer line at an area close to where a street flood control drainage flow crosses the sewer line. It appears that this situation has the potential to result in an accidental sewage spill that could "Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare" (22.56.090.c.). It seems prudent to have DPW examine the feasibility of this situation on site rather than from maps of the area. We further believe the effect of a year or more of construction activity and equipment on Canyon Crest Road at a blind curve that would be necessitated by this project also constitutes a menace to public safety and general welfare; and that the so-called flat pad that constitutes the protected zone of the oak trees is inadequate as a staging area for construction equipment, machinery and materials as intended by the applicant.

We believe we have addressed these comments in other responses and on our website.

No mention is made regarding trenching necessary for water and sewer hookup, which would negatively impact the protected zones of several oak trees.

Construction of laterals will adhere to oak tree mitigation measure #4, that "all work in the protected zone of the trees approved for encroachment must be done using hand implements only," and measure #10 that "any major roots (2" or greater in diameter) encountered shall be preserved to the extent possible". According to IPC section 305.6 and IRC section P2603.6 and P2603.6.1, water and sewer laterals may be buried at 12" below grade. The more conventional 18" specification for these laterals will still allow us to avoid any permanent damage to any oak tree roots, through careful, shallow excavation, consistent with the guidelines laid out in the county Oak Tree: Care and Maintenance guide. Although the sewer lateral is required to drop deeper where it enters the road right of way, this point was chosen to be more than 15ft distant from any tree.

We feel the proposed structure would violate the intentions of the Altadena Community Standards district (22.44.127) which was established to ensure new and expanded structures are compatible in size and scale with characteristics of surrounding residential neighborhoods. We cannot comprehend how a building on the west side (the canyon view side) of Canyon Crest Road, with a height of nearly 34 feet, can be considered compatible in size and scale to existing homes when it is over three times the height of the adjacent residence, and approximately twice the height of any other home on the canyon side of the street.

It is considered compatible because the Altadena CSD quantifies the rules that determine that compatibility, and we comply with them. At the peak elevation above grade of our home (~34ft), the elevation above street grade is only 2-4ft, as the shape of our home follows the grade lower. It would be untenable to express building regulations relative to adjacent development, and the purpose codified in the Altadena CSD is embodied in the specific, quantified rules that it lays out.

Also, the proposed structure is described as a "two story home", though the plans clearly show four distinct levels with a total low point to high point measurement of approximately 60 feet!

Our home accurately contains only two stories with livable square footage, and is nowhere greater than two stories above grade.

We would like these apparent discrepancies of description clarified, as they do not seem to make sense.

Mr. Kuhn has often implied a willingness to compromise with the concerns of residents, yet he has shown no intention of doing so.

We have recently made changes in response to neighbor feedback and have been open and detailed in response to neighbor questions, and on our website. We regret that MM have never contacted us to address their concerns, or replied to any of our requests for feedback, and we hope to meet them some day.

I reiterate we are against granting a MCUP for this project for the various stated reasons, but if the project is allowed to proceed, we have an alternative proposal:

Considering the extreme height of the proposed garage roof is one of the most objectionable elements of the design to the current residents, we would like to offer the following suggestion in compromise:

That the height of the garage area be reduced and redefined to a maximum height of

approximately twenty feet, which would be much,more aesthetically acceptable, and suitable in scale to the neighborhood. While a 35 foot height is allowed by code, it is inappropriate in this instance. It seems incomprehensible that anyone would require a 34 foot ceiling in a garage.

We have addressed the detailed rationale for the height of our home in other responses, but note here that the max floor to ceiling height in our loft is 18-19', and this drops to head height at the SE and NW corners of the loft.

ADDENDUM

I think it should be noted for the record that Mr. Kuhn was fully aware of the opposition of current residents to his proposed development several years before purchasing the subject property. I know this because he approached me in my driveway in approximately 2010 and began questioning me about the property and told me he lived up the hill and he could "totally build on that property" by sinking huge concrete pillars and beams into the hillside. I informed him that no one in the area wanted to see that happen and everyone would fight "tooth and nail" to keep him from doing that.

In many cases, we are able to attribute or at least hypothesize as to the source of misunderstanding in a neighbor comment – that they are unaware of the extent of our lot, the shape and location of our home and its relationships, or may not be aware of the applicable construction techniques, regulations or engineering analysis. However, we are unable to draw any such conclusion here. I have never spoken with MM, despite attempting to engage them by mailers and requests for feedback at three Altadena Town Council meetings. We did not even live in the Meadows "up the hill" until 2013. I happened upon the lot for sale in a public real estate listing in 2013 and made an offer. Our future neighbors - including those at 3589 Canyon Crest, who had previously been contacted by the sellers, as well as MM - chose not to buy, and we had hoped this choice signaled a measure of acceptance that our lot would be improved for its zoned purpose.

He approached several residents with an "invitation" in their mailboxes on July 17, 2015 to meet him at the property the following week for coffee and "home baked treats" so he could try to "accommodate" any concerns we might have because if anyone lodged formal complaints with Regional Planning it would cost him thousands of dollars for a public hearing. This was when and how he approached the residents within 300 feet of his property--after it was too late to for them to really do anything, except save him money!

Submitting detailed plans to regional planning was a required part of initiating this process. That did not in any way imply that it was too late to make changes, and we have explicitly requested feedback throughout this process. We recently made a change to our entryway and driveway in response to neighbor feedback, reflected in the attachment at the Department of Regional Planning project page for R2014-02411 of "Revised Plans 03/21/2016", the result of one of the only conversations we have had with any neighbor in which they have engaged us constructively. We had hoped our neighbors would at least give us the chance to address their concerns before triggering this process. We regret that MM have not ever engaged with us.

In an attempt to win community approval, Mr. Kuhn has repeatedly misrepresented the size of the proposed project by showing underscaled renderings, and using misleading language like: "a small energy efficient home", "respectful of the surroundings", "'tucked in' among the oaks", "folded around an oak". He repeatedly asserts that this large, imposing structure built on the rim of a canyon cannot possibly block anyone's view of that canyon--and you can prove it by standing in a certain place and looking in a certain direction--just not in the direction of the structure.

We have addressed these concerns in other responses. We believe it is accurate to say that our home

is small and energy efficient, because it is less than 20% of the 9,000sqft size permitted to us on our lot, and it is significantly smaller than the average home within 300ft. It exceeds modern California Green Building Codes by 30%, also becoming a net-zero home. We believe it is accurate to say that it is respectful of the surroundings, as our home echoes the existing grade below street level, with colors that blend with the oak tree canopy and surroundings. We believe it is accurate to say that it is tucked in among the oaks, as the footprint of the house is defined by the fold around one of the largest of our trees, lending an hourglass shape, with four of five edges constrained by minimization of oak tree encroachment, and the fifth by zoning regulations. We believe it is accurate to say that views into the canyon from the point most favorable to them will not be impacted by our home. We believe that we have given all elements of our design and the future execution of it significant care and thought.

Regards,

Stephen and Vandana

Kristina Kulczycki

From: osopolare@gmail.com on behalf of Zak Berrie [zak@mode3.com]
Sent: Monday, March 28, 2016 5:04 PM
To: Kristina Kulczycki
Subject: Canyon Crest Project in Altadena

Dear Ms. Kulczycki,

I'm writing you in support of the building project on lower Canyon Crest in Altadena. It's my understanding that the proposed design requires extra approval because the site has significant slope. It's my hope that any decisions made by the county on this project are made solely on the technical merits.

I'm a Meadows resident in Altadena and thus live only about .5 mile up the canyon from there on Canyon Crest.

I would like to first note that I am not a civil engineer and I haven't had a chance to review the plans for the building so I am unable to comment on the safety of the proposed design. I am sure though that LA County does employ qualified engineers who have had access to the appropriate plans and I defer to them when evaluating the safety of the design.

It is otherwise, in my opinion, unfair and unwise to deny a property owner the use of their property unless that use of the property would violate applicable law or code.

I am personally incensed by the idea that a neighbor would be able to complain and organize public comment so as to deny a property owner the ability to develop their own land.

Would I love to have an empty neighboring lot full of Oak trees that someone else paid the property taxes on? Absolutely, who wouldn't? It would effectively increase the size of my own property at someone else's expense. If I were able to control the use of a neighbor's property without just compensation that would effectively grant me possession of the property for free.

Taking possession of something from someone else without their consent is theft. I feel like that's what's at work here. A neighbor is attempting to use public institutions to effectively steal property. I think that's wrong and I think that's a dangerous precedent to set.

If the neighbors of the proposed development would like to see that site remain undeveloped in perpetuity I suggest that they use their community organizing ability to raise money to purchase the property. Once they've done so they can dispose of it how they like, perhaps by donating it to the Arroyo Foothills Conservancy.

That is the right process to use in our society, not manipulating the county permitting process to your own ends.

Thank you for allowing me to comment and please forgive my tardiness, I've been traveling overseas.

Zak Berrie
1094 Hollygrove Ln
Altadena, CA 91001

Kristina Kulczycki

From: unleadedpictures@gmail.com on behalf of Jim Knell [Knell.Jim@gmail.com]
Sent: Tuesday, March 22, 2016 8:21 PM
To: Kristina Kulczycki
Subject: Stephen Kuhn Mallard Canyon Building Request

Categories: Red Category

Good Evening

As a former housemate of Stephen Kuhn when he arrived in California several years ago, I would like to take a moment to comment on his journey to build his home in the Millard Canyon area of Altadena. I, myself, have been a resident of Altadena for over 16 years and currently own three homes here.

I will try to keep my email short, as I know we are all busy people; however there are two things I can assure you about Stephen and anything he embarks on. I am sure the fact that he is amazingly meticulous and well thought-out, are quite obvious to anyone involved in this project, and I will address this in detail below.

Of foremost importance with regards to his home design and location is the fact that he absolutely loves the outdoors and nature. Whether it is sailing, hiking, camping or anything that brings him closer to the outdoors, Stephen enthusiastically embraces it wholly. Along with this love comes a deep respect; whether it is leaving no trace when hiking or camping, or just being a part of the nature that surrounds him, I cannot think of a better candidate to build a home in an area such as this and no-one more suited to doing it in a way to blend and cause a minimal disturbance.

The second key point, as briefly noted above is his meticulous nature and due diligence when planning anything. When I first met him, we sat and chatted for at least an hour about his desire to build an airplane and the techniques and contemporary ideas he had studied to "build a better mousetrap" as it were. I am 100% positive that this will translate to his home building experience as well.

I have read his blog, illustrating his desire to build this house, and it contains the same meticulously thought-out attention to detail that anything else he touches does. The fact he taken the time to build a blog with these specifics should be recognized as proof to the transparency of his intention.

In addition, I have read the "Save Millard Canyon!" petition. Within the petition, phrases such as "Heavy construction equipment, trucks and material deliveries will ... ***possibly*** block fire, para-medic and police access to the meadows neighborhood for over a year". I am not a lawyer, nor Fire Chief, but it is my understanding that "blocking" paramedics, fire vehicles and police access is a highly illegal activity and would not be stood for, and would quickly be addressed by local civil service authorities; so this appears to be misguided fear-mongering on the part of the author of the petition.

Additionally, in that same sentence, he claims that this activity would continue for ***over*** a year, while in the presentation presented by Mr. Kuhn it is stated that construction is less than a year. There are additional inaccuracies, throughout the petition, of which I am sure you are aware.

In closing I would like to point out that the design truly does seem to integrate well into the existing environment. This property IS already zoned for residential building so any and all claims that this would set a precedent for future building and excavating into the canyon is pure propaganda designed to create a stir among residents.

I look forward to the approval of Mr. Kuhn's desire to build and to seeing the finished home helping frame this magnificent canyon.

Thank you for your consideration of my email.

Best Regards,

Jim Knell

Pursuant to Section 15073.5 of the California Environmental Quality Act Guidelines (14 CCR § 15073.5), "a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability...but prior to its adoption." However, a "substantial revision" for a negative declaration occurs when "a new, avoidable significant effect is identified..." Subsequent to the release of the Initial Study for public review and comment, staff received a clarification from the applicant specifying that the maximum height of the proposed building is 34 feet 10 ½ inches. The Initial Study project description and Aesthetics evaluation identifies the maximum height as 33 feet and 10 inches. The impact of the building height is evaluated in the Aesthetics section of the Initial Study. In this section, it is noted that the project will not exceed the maximum allowed height of 35 feet and therefore, impacts to the visual character or quality of the site and its surroundings will be less than significant. As the change in maximum height from 33 feet and 10 inches to 34 feet and 10 ½ inches will still be under this threshold, there is no change to the determination that impacts will be less than significant. Therefore, the addition of this new information would not be considered a "substantial revision" and the revisions listed below will make insignificant modifications to the negative declaration. Recirculation of the Initial Study is not required for the revisions below:

Revised project description for the Initial Study:

"The project is a request for a Minor Conditional Use Permit (MCP) to authorize the construction of a 1,699-square-foot single-family residence with a 451-square-foot attached garage on a 1.04-acre parcel in a hillside management area of the Altadena CSD. The project also includes a request for an Oak Tree Permit (OTP) to encroach within the protected zone of nine oak trees and to remove one oak tree. Two additional oak trees will also be removed, but are less than eight inches in diameter and are therefore not protected by the County Oak Tree Ordinance. The proposed residence will take access from Canyon Crest Road to the east with a new driveway leading to the 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 and will not exceed 34 feet and 10 ½ inches in height. 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).

A single-family residence is permitted by right in the R-1-10000 Zone. However, per the requirements of the Altadena CSD, a new single-family residence that is proposed to be developed within an area containing natural slopes of 25 percent or more is required to obtain a MCP."

Revised Aesthetics evaluation:

"The Altadena Community Standards District (CSD) contains a subsection on hillside management areas...The maximum height of the proposed building is 34 feet and 10 ½ inches and the maximum height permitted in the Altadena CSD is 35 feet. Therefore, impacts to the visual character or quality of the site and its surroundings will be Less Than Significant."

Hearing Officer Transmittal Checklist

Hearing Date
4/5/2016
Agenda Item No.
10

Project Number: R2014-02411-(5)

Case(s): Minor Conditional Use Permit Case No. 201400014
Oak Tree Permit Case No. 201400035
Environmental Assessment Case No. 201400194

Planner: Kristina Kulczycki

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☒ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Oak Tree Report

Reviewed By:

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

PROJECT NUMBER
R2014-02411-(5)

HEARING DATE
4/5/16

PROJECT SUMMARY

REQUESTED ENTITLEMENTS
Minor Conditional Use Permit No. 201400014
Oak Tree Permit No. 201400035
Environmental Assessment No. 201400194

OWNER / APPLICANT
Stephen Kuhn

MAP/EXHIBIT DATE
7/13/15

PROJECT OVERVIEW
The applicant is requesting a Minor Conditional Use Permit ("MCUP") to construct a new single-family residence with an attached garage on a property located in a hillside management area within the Altadena Community Standards District. More than one request for a public hearing was received when notices for the filing of the Minor CUP application were sent out to the surrounding neighborhood. The case has been elevated to a public hearing and will be heard concurrently with the request for an Oak Tree Permit. The application for the Oak Tree Permit includes a request for the removal of one oak tree and encroachments into the protected zone of nine other oak trees.

LOCATION
Vacant Property, Canyon Crest Road, Altadena

ACCESS
Canyon Crest Road

ASSESSORS PARCEL NUMBER(S)
5830-003-016

SITE AREA
1.02 Acres

GENERAL PLAN / LOCAL PLAN
Altadena Community Plan

ZONED DISTRICT
Altadena

LAND USE DESIGNATION
N- Nonurban

ZONE
R-1-10000 (Single-Family Residence, 10,000 Sq. Ft. Minimum Required Lot Area)

PROPOSED UNITS
One

MAX DENSITY/UNITS
Up to one dwelling unit/gross acre

COMMUNITY STANDARDS DISTRICT
Altadena

ENVIRONMENTAL DETERMINATION (CEQA)
Negative Declaration

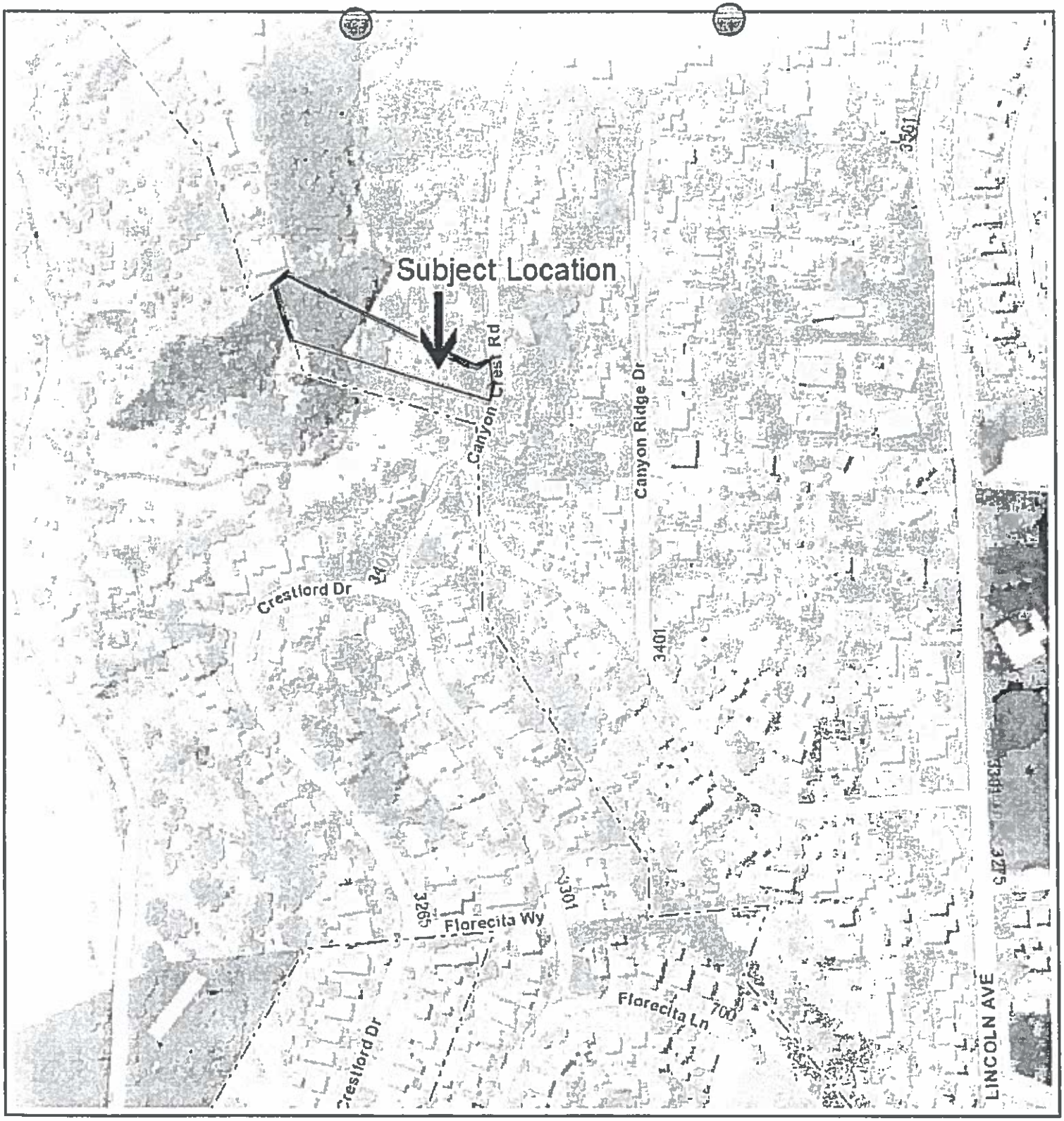
KEY ISSUES

- Consistency with the Altadena Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.44.127.C.2.b.ii (Minor Conditional Use Permit Burden of Proof Requirements for projects in the Altadena CSD Hillside Management Area)
  - 22.56.2100 (Oak Tree Permit Burden of Proof Requirements

CASE PLANNER: Kristina Kulczycki

PHONE NUMBER: (213) 974 - 6435

E-MAIL ADDRESS: kkulczycki@planning.lacounty.gov



R2014-02411-(5)

Printed: Mar 17, 2016

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Feet

ENTITLEMENTS REQUESTED

- Minor Conditional Use Permit ("MCUP") for the construction of a new single-family residence in the hillside management area of the Altadena Community Standards District ("CSD") pursuant to County Code Section 22.44.127.

- Oak Tree Permit ("OTP") for the removal of one oak tree and encroachments into the protected zone of nine other oak trees in the R-1-10000 (Single-Family Residence, 10,000 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section 22.56.2060.

PROJECT DESCRIPTION

The project is a request for a MCP to authorize the construction of a 1,699-square-foot single-family residence with a 451-square-foot attached garage on a 1.04-acre parcel in a hillside management area of the Altadena CSD. The project also includes a request for an OTP to encroach within the protected zone of nine oak trees identified as Oak Tree Nos., 1-5 and 7-10 on the site plan and in the Oak Tree Report ("Oak Tree Report") dated August 2, 2014 and prepared by Land Design Consultants, Inc. and to remove one oak tree (identified as Oak Tree No. 6 on the site plan and in the Oak Tree Report). Two additional oak trees will also be removed (Oak Tree Nos. 11 and 12 as identified on the site plan and in the Oak Tree Report), but both are less than eight inches in diameter and are therefore not protected by the County Oak Tree Ordinance.

The proposed residence will take access from Canyon Crest Road to the east with a new driveway leading to the 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 west-facing cantilevered deck. There is a lower level below the kitchen and living room where an office is proposed. The site plan depicts a two-story residence with an additional cellar level below. The tallest point of the residence is located in the southwestern corner of the building and is depicted on the southern elevation plan with a height of 34 feet and 10 and one half inches. However, the highest point visible from the street is located in the northeastern corner of the building. The project includes 15 cubic yards of cut and 15 cubic yards of fill which will be balanced on the site.

The subject property is an undeveloped parcel in Altadena that fronts on Canyon Crest Road to the east. 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.

EXISTING ZONING

The subject property is zoned R-1-10000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area) and is within the Altadena Community Standards District ("CSD").

ENTITLEMENTS REQUESTED

- Minor Conditional Use Permit ("MCUP") for the construction of a new single-family residence in the hillside management area of the Altadena Community Standards District ("CSD") pursuant to County Code Section 22.44.127.

- Oak Tree Permit ("OTP") for the removal of one oak tree and encroachments into the protected zone of nine other oak trees in the R-1-10000 (Single-Family Residence, 10,000 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section 22.56.2060.

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The subject property is an undeveloped parcel in Altadena that fronts on Canyon Crest Road to the east. 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.

EXISTING ZONING

The subject property is zoned R-1-10000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area) and is within the Altadena Community Standards District ("CSD").

Surrounding properties are zoned as follows:
North: R-1-10000
South: R-1-10000 and City of Pasadena
East: R-1-10000
West: City of Pasadena

EXISTING LAND USES
The subject property is vacant land containing slopes of over fifty percent, a stream, oak woodland, and a drainage course.

Surrounding properties are developed as follows:
North: Single-family residences
South: Vacant land and single-family residences
East: Single-family residences
West: Vacant land

PREVIOUS CASES/ZONING HISTORY
Ordinance No. 5541 was adopted by the Board of Supervisors on May 9, 1950 and established the R-1-10000 zone on the property.

Ordinance No. 98-0043 was adopted by the Board of Supervisors on August 4, 1998 and established the Altadena Community Standards District.

An unconditional Certificate of Compliance No. 201400129 was recorded on the property on November 4, 2014.

ENVIRONMENTAL DETERMINATION

The Los Angeles County ("County") Department of Regional Planning recommends that a Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that there is no evidence that the project may have a significant impact on the environment.

STAFF EVALUATION
General Plan/Community Plan Consistency
The project site is located within the N-Nonurban land use category of the Altadena Community Plan. Areas within this designation are foothill lands which are suitable for non-urban, rural residential uses. The subject property is located in an area that is developed with low-intensity single-family development. Therefore, the proposed single-family residence is consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Ensure that development in non-urban areas is compatible with rural life styles, does not necessitate the expansion of urban service systems, and does not cause significant negative environmental impacts or subject people and property to serious hazards (Land Use, Page I-21).*

- *Preserve sound residential areas and protect them from intrusion of incompatible uses (Land Use, Page I-24).*

- *Promote the provision of an adequate supply of housing by location, type and price (Land Use, Page I-24).*

The construction of a new single-family residence in a low-density residential area is consistent with the other single-family uses surrounding the site. The single-family use was anticipated for the site with the R-1-10000 zoning classification and N-Nonurban land use category and therefore, the project will not create a large impact on the existing utility services. Lastly, the project was designed to minimize impact to the oak woodland and be distanced from the stream below.

The following policies of the Community Plan are applicable to the proposed project:

- *Permit developers to utilize innovative residential construction and siting techniques, provided that they maintain physical safety and health and are compatible with existing land use and the environmental setting (Land Use, Policy No. 9, Page 4-3).*

- *Provide that new development must be compatible with adjacent land uses and environmental resources (Environmental Resources, Policy No. 4, Page 10-1).*

- *Prohibit the disruption of riparian corridors and other significant environmental habitats in the San Gabriel Mountain foothills (Environmental Resources, Policy No. 11, Page 10-2)*

- *Continue standards which minimize grading in foothill areas (Environmental Resources, Policy No. 12, Page 10-2)*

- *Require new development in foothill areas minimize siltation of streams and canyons (Environmental Resources, Policy No. 13, Page 10-2)*

- *Maintain view corridors of the San Gabriel Mountains and Los Angeles basin by controlling the siting, height, and density of new development (Environmental Resources, Policy No. 14, Page 10-2)*

The subject property is located in the foothills with low-density development surrounding the site and therefore, is compatible with the other single-family residences in the area. The project has been designed to minimize impacts to the oak woodland and stream that are located on the site. Proposed grading is limited to 15 cubic yards of cut and 15 cubic yards of fill that will be balanced on the site. Hand tools will be used within the protected zone of oak trees that are proposed to be preserved. Furthermore, the design of the residence complies with all development standards.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.20.070 of the County Code, single-family residences are a permitted use in the R-1-10000 (Single-Family Residence-10,000 Square Feet Minimum Required Lot Area) Zone and are subject to the following development standards:

Development Standards for Single-Family Residences

- Every single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other similar roofing material in compliance with Title 26 of this code, except that reflective, glossy, polished and/or roll-formed type metal roofing is prohibited. The applicant proposes use of a standing seam metal roof for the project and indicates that it will be neither reflective nor roll-formed. As the property is within a Very High Fire Hazard Severity Zone, a metal roof is preferred to wood-shake or other more flammable materials. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material, except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited. The applicant proposes use of a noncombustible steel siding for the project and indicates that it will be neither reflective nor roll-formed. As the property is within a Very High Fire Hazard Severity Zone, metal siding is preferred to wood-shake or other more flammable materials. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall be not less than 20 feet in width (except as provided in Section 22.20.105.A.3). The floor plan of the residence depicts a width of 29 feet and five inches on the main level of the house facing Canyon Crest. At the narrowest portion of the residence, the width is indicated as 21 feet and nine inches. Therefore, the design of the residence is consistent with this development standard.

- Every single-family residence shall have a floor area of not less than 800 square feet. The proposed residence will have a total of 1,699 square feet of habitable space (including the loft area). Therefore, the design of the residence is consistent with this development standard.

Pursuant to Section 22.44.127.C.2 of the County Code, developing a single-family residence in a hillside management area within the Altadena Community Standards District ("CSD") requires a Minor Conditional Use Permit.

Pursuant to Section 22.44.127.D.1 of the County Code, establishments in the R-1-10,000 Zone are subject to the following development standards:

Front Yard Setback

- The front yard shall not be less than the average depth of all of the front yards on the same side of the same street on the same block. The average front yard setback is 22.4 feet and the proposed front yard setback is 23 feet. Therefore, the project is complying with this development standard.

Side Yard Setback

- Each side yard shall not be less than 10 percent of the average width of the lot or parcel, but in no case less than five feet for interior and corner side yards. Each required yard shall not be less than 15 feet where any portion of a residence or other structure within that yard exceeds 23 feet in height. The residence exceeds 23 feet in height and therefore, the minimum side yard setback is 15 feet. The project provides a 15-foot side yard setback. There is a portion of the deck that extends two feet into the side yard setback; however, pursuant to Section 22.48.120.G, balconies above the level of the first floor may project a distance of two feet into a required interior side yard provided that they are open and unenclosed, they are not closer than three feet to any lot line, and they are not covered by a roof or canopy except as provided in Section 22.48.120.E.

Rear Yard Setback

- For lots that are over 40,000 square feet in size, the minimum rear yard is 35 feet. The residence is proposed to be over 300 feet from the rear property line and is therefore, in compliance with this development standard.

Height

- For lots that are over 40,000 square feet in size, the maximum height is 35 feet. The proposed maximum height for the residence is 34 feet and 10 and one half inches. Therefore, the design of the residence complies with this development standard.

- The maximum number of stories above grade is two. A "cellar" is defined in Section 22.08.030.C as "that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling" and shall not be considered a story above grade. As the topography of the property varies, the house has multiple levels which vary with the hillside. The applicant provided calculations to determine whether the lowest

level of the household, where the two bedrooms and bathrooms are located, would qualify as a cellar. The area below grade occupies 51 percent of the total lower level area and therefore, the space qualifies as a cellar, by definition, and does not count as a story. The explanation provided by the applicant is attached and is identified as "Attachment No. 1."

Gross Structural Area ("GSA") and Lot Coverage

- The maximum GSA or Lot Coverage = (.25 x net lot area) + 1,000 square feet. In no event shall the maximum GSA or maximum lot coverage exceed 9,000 square feet. The Los Angeles County Assessor indicates that this property has an area of approximately 44,390 square feet. Therefore, the maximum GSA and Lot Coverage would be 9,000 square feet. The proposed residence will have a GSA of 1,699 square feet and a Lot Coverage of 1,159 square feet.

Parking

- A residence with between one and four bedrooms shall provide two on-site vehicle parking spaces together with a maneuvering area and driveway. "Bedroom" means any habitable room or space with a closet which is designed to be capable of being used for sleeping purposes, excluding rooms commonly used for living, cooking, or dining purposes. The proposed house has two identified bedrooms and an office area that could be used as a bedroom. Therefore, two on-site parking spaces are required and two are provided.

Pursuant to Section 22.56.2060 of the County Code, a person shall not cut, destroy, remove, relocate, inflict damage or encroach into a protected zone of any tree of the oak genus which is 25 inches or more in circumference (eight inches in diameter) as measured four and one-half feet above mean natural grade unless an Oak Tree Permit is first obtained. The applicant is requesting an Oak Tree Permit in order to remove one protected oak tree and encroach into the protected zone of nine other oak trees in order to construct a residence on the subject site.

Site Visit

Staff visited the subject property on August 6, 2015 and found that the area is characterized by narrow, winding roads with low visibility around several curves. Although there are several houses that are low-profile and one-story in height, staff also observed other multi-story properties and found that some varied in architectural design. Additionally, several homes in the area are built in close proximity to oak trees. The subject site is located on a steep hillside with a beautiful view of the canyon. There is a flat pad adjacent to the street in the northeast corner of the site. There is an existing path for drainage which cuts across the property and angles southwest onto the adjacent property to the south. The County biologist was also able to visit the site and indicated that there is an existing riparian forest at the bottom of the canyon containing oak, walnut, bay, sycamore, and alder trees. Based on his site visit, he also indicated that the bottom of the canyon would be an ideal spot to plant the replacement oak trees.

Burden of Proof

The applicant is required to substantiate all facts identified by Sections 22.56.090, 22.56.215.F.1.a, 22.56.215.F.1.b, and 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.

Neighborhood Impact/Land Use Compatibility

The character of the neighborhood is nonurban with smaller profile homes. This community was developed in the early 1900s, but many of the homes are mid-century. The property is located in a Very High Fire Hazard Severity Zone and contains oak woodland. There is also a stream located over 150 feet from the proposed building pad. The single-family residence use is consistent with the R-1-10000 zone and the N-Nonurban land use category. The design of the residence will also be compatible with the size and height of the surrounding homes because it will be split-level and will follow the terrain of the property. The house has been designed to maintain most of the oak trees on the site and also contains metal roofing and siding materials that are more fire-resistant than traditional materials. The house will be painted with earth tone colors in order to further blend with the surrounding environment. The existing oak trees already block many views of the canyon and will provide further disguise of the house.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Correspondence dated February 3, 2014 was received from the Los Angeles County Fire Department which cleared the project for public hearing with recommended conditions of approval. The Forestry Division of the Fire Department submitted a separate letter dated December 3, 2014 which addressed the oak tree encroachments and removal, and provided recommended conditions of approval. The Department of Public Works submitted a letter dated August 12, 2015 which cleared the project for public hearing with recommended conditions.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to section 22.56.085, notices were sent to those addresses within 300 feet of the subject property indicating that an application for an MCP was filed. The MCP was elevated to review at a public hearing. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received comments on the project from 21 members of the public which included 15 letters stating concerns with the project, five 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.

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 R2014-02411-(5), Minor Conditional Use Permit Number 201400014 and Oak Tree Permit Number 201400035, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE HEARING OFFICER CLOSE THE PUBLIC HEARING AND ADOPT THE NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE HEARING OFFICER APPROVE MINOR CONDITIONAL USE PERMIT NUMBER 201400014 AND OAK TREE PERMIT NUMBER 201400035 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kristina Kulczycki, Senior Regional Planning Assistant, Zoning Permits North 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
Environmental Document
Site Photographs
Site Plan, Land Use Map

MM:KK
3/23/16

Attachment No. 1

Story Calculations

Fundamentally, at no point in the area of the footprint of the house can the number of stories above grade be greater than two. However, the total number of stories may be greater when the reference point – grade – is variable, as it is for our project.

Definitions:

22.44.127.D.1.a.vi - The maximum number of stories above grade shall be two. A "basement" as defined in Section 22.08.020, B, shall be considered a story above grade, while a "cellar" as defined in Section 22.08.030, C, shall not be considered a story above grade.

story – per 22.08.190 S, "story" is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above. "Story" includes a basement but not a cellar.

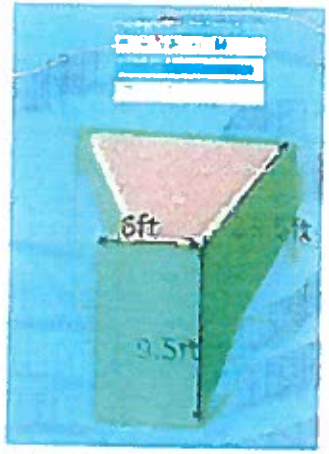
cellar – per 22.08.030 C, "cellar" is that portion of a building between floor and ceiling which is wholly or partly below grade (as defined in Section 22.08.070) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

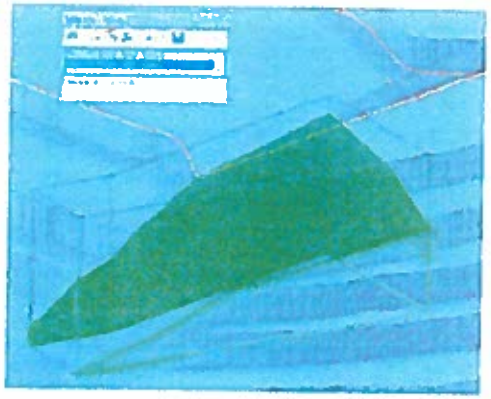
grade – per 22.08.070 G, "grade" means the approved grade of a lot or parcel of land at the time such lot or parcel is created, except when excavation is proposed. When excavation occurs after the lot or parcel is created, the grade of the excavated area shall be the grade after the excavation. Where fill material has been placed on a lot or parcel after such lot or parcel is created, grade shall be determined by the director. Grade within the perimeter of a structure shall be considered to transition uniformly from the lowest to the highest points of grade at the perimeter of the structure.

grade – per Merriam Webster, also called grade line, the level at which the ground intersects the foundation of a building.

Derivation:

1. For each point in the area of the footprint of the house, assess the number of floors intersected by a vertical line drawn at that point through the house.
2. Where the number of floors is 2 or fewer, we are compliant.
3. Where the number of floors is equal to 3, create a volume (hereafter cellar volume) between the upper surface of the lowest floor and the upper surface of the next highest floor.
4. Intersect this volume with the volume of the existing terrain (hereafter terrain volume). (We assume here per the grading plan that no fill will be placed outside the footprint of the house; thus, grade will be at the level of the existing terrain).
5. If >=50% of the cellar volume wall surface area is intersected by the terrain volume, this portion of the lowest floor meets the definition of a cellar, and we are compliant. Note: this may establish a grade line where none exists (i.e. within the footprint of the house); however, this is a logical extension of the discretization of the footprint, and in keeping with the spirit of the rule.





Only one portion of the house has more than 2 floors – the footprint of the loft. The wall area of the cellar volume is measured to be ~613ft^2.

Starting with the 2ft topo, we interpolate between topo lines to yield a smooth grade boundary. We then sum the wall area of the cellar volume below grade. This yields 311ft^2.

The area of the cellar volume below grade is therefore 311/613 = 51%. This floor area is thus accurately a cellar, as the average vertical distance from grade to the floor below is greater than the average vertical distance from grade to the "the higher floor". Note the conservatism w/r/t the cellar definition, which references the ceiling. Because the definitions of story and grade differed in this, the more conservative was chosen, and we remain compliant. If the ceiling was used, the figure would be closer to 60%.

The number of stories above grade is thus never greater than 2. We are compliant.

DRAFT FINDINGS OF THE HEARING OFFICER
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") Hearing Officer conducted a duly-noticed public hearing on April 5, 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 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 Hearing Officer'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 Hearing Officer'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. Twenty one members of the public submitted comments relate to the project which included 15 letters identifying concerns with the project, five 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. The Hearing Officer 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.

18. The Hearing Officer 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.

19. 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 Hearing Officer finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

20. The Hearing Officer 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.

21. The Hearing Officer 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.

22. 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 Hearing Officer 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.

23. 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 Hearing Officer 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.

24. 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 Hearing Officer finds that the site is adequately served by other public or private service facilities as are required.

25. The Hearing Officer 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.

26. The Hearing Officer 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.

27. 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 Hearing Officer 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.

28. 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 Hearing Officer 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.

29. The Hearing Officer 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 February 17, 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 five notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

30. The Hearing Officer 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.

31. After consideration of the Negative Declaration, together with the comments received during the public review process, the Hearing Officer 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 Hearing Officer.

32. 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, 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 HEARING OFFICER 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.

Regarding the Oak Tree Permit:

H. 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.

I. 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.

J. 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.

K. 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 HEARING OFFICER:

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 Hearing Officer as to the environmental consequences of the Project; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and

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

MM:KK
3/23/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

DRAFT 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. Inspections 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 your appeal period ends **April 26, 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 **June 5, 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 be preserved.

25. The oak trees should be reviewed by a licensed and certified arborist for detrimental changes in health or structure once every six months for three years. A brief summary report containing photo documentation should be prepared by the arborist following the site visit and shall be submitted to the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") within 10 days after each visit. The summary reports shall be made available to Regional Planning staff by request. Additional summary reports may be required at the discretion of the Department of Regional Planning or the County Forester.

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.

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

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

GAIL FARBER, Director

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/ldd/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

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- 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.

Reviewed by: Wally Collins Date: February 3, 2015

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

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

OAK TREES:
Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE and URBAN DEVELOPMENT.

Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE: BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS:
CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

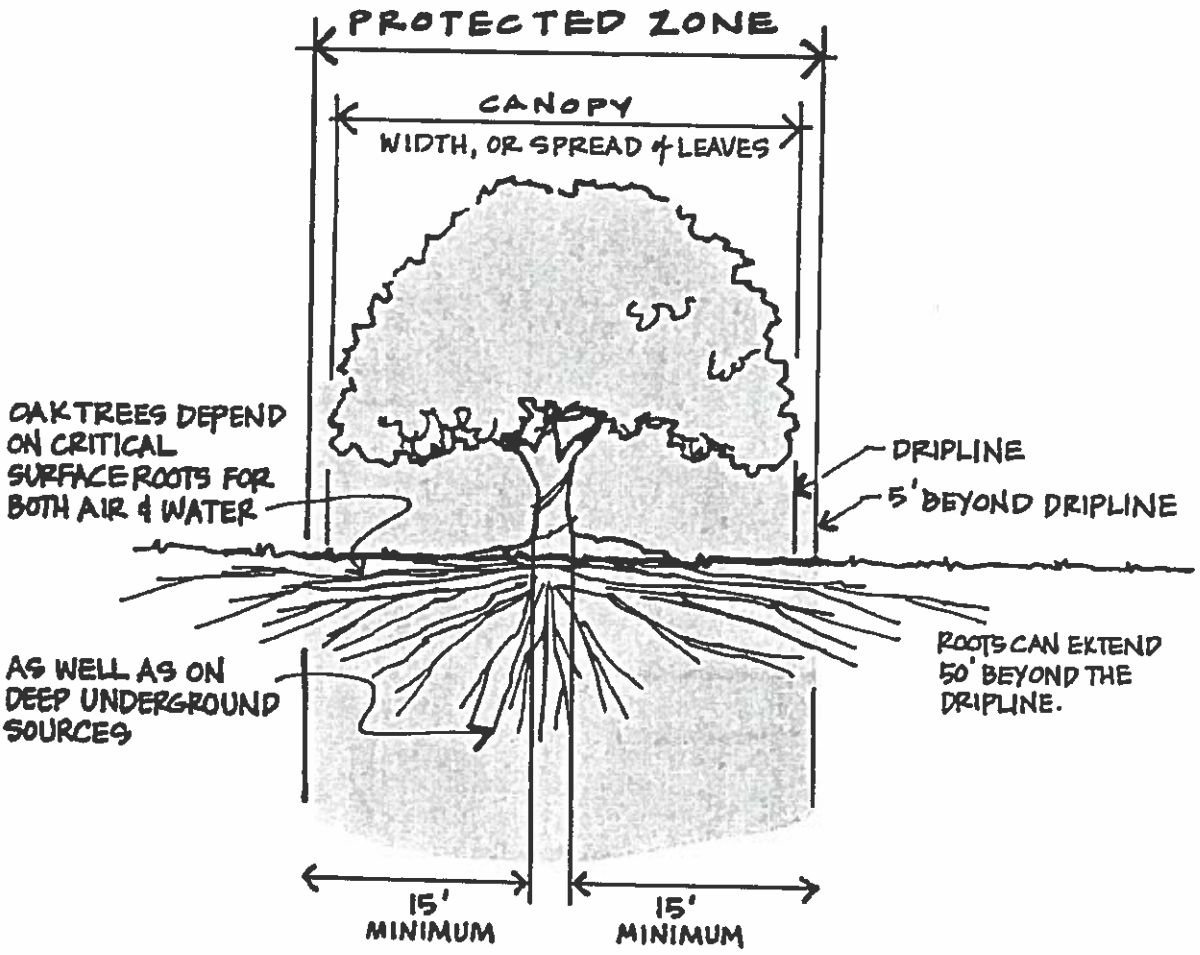
THE PROTECTED ZONE

The ***protected zone*** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

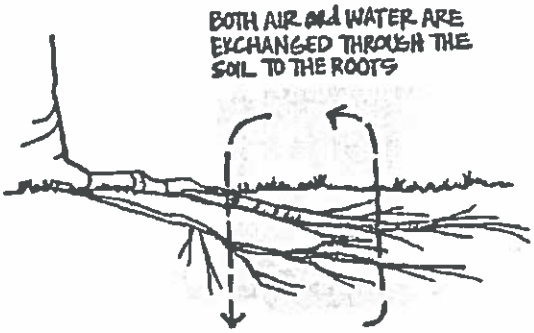
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

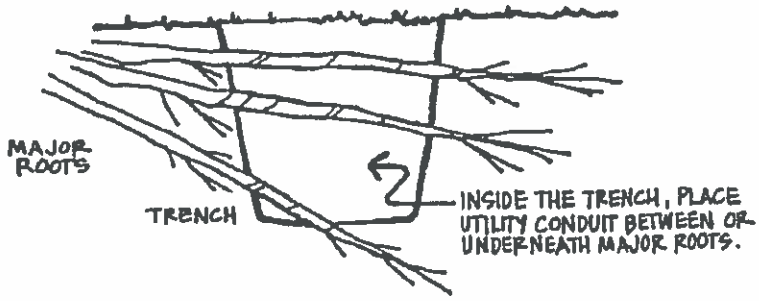
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

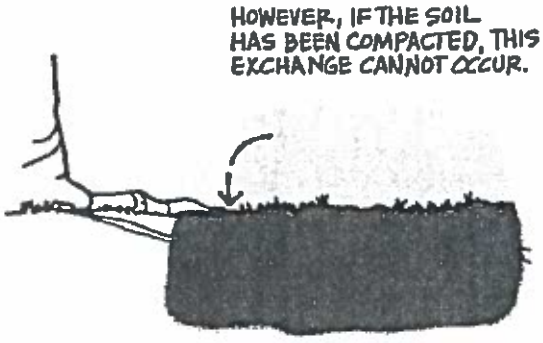
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING





MAINTENANCE

Watering

The key is prevention – **do not over water.** Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

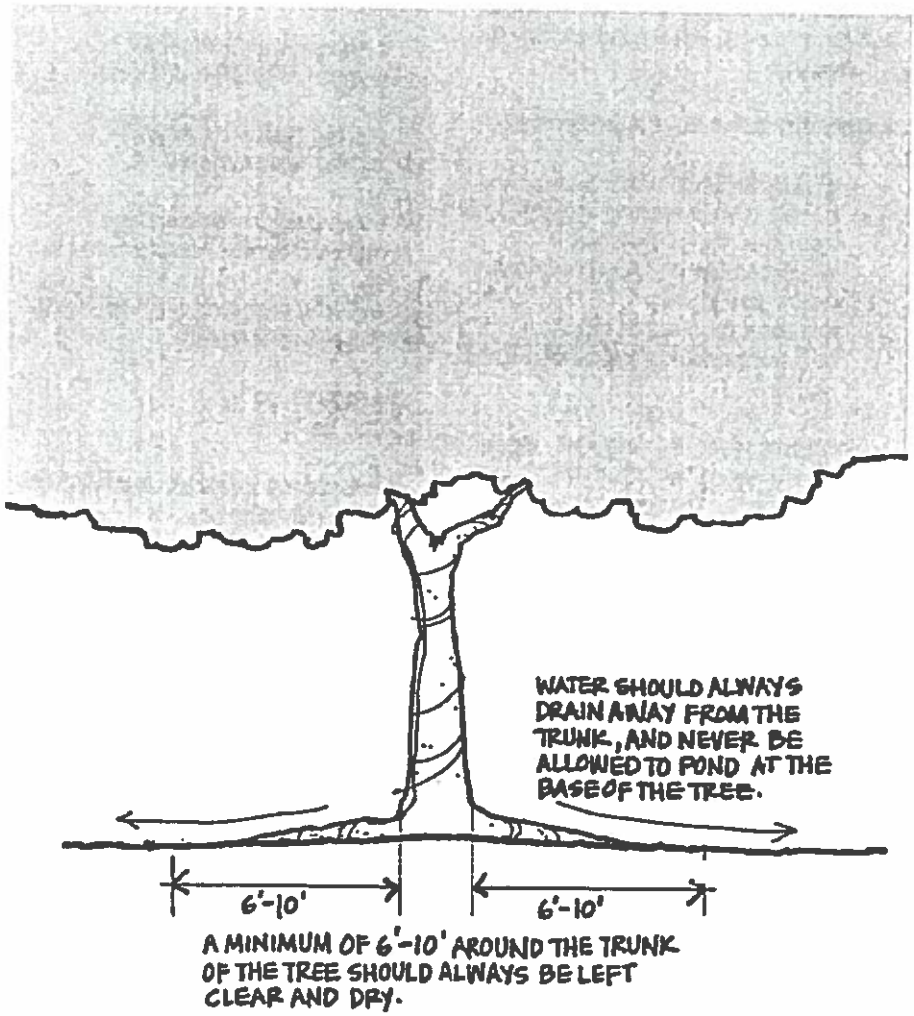
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

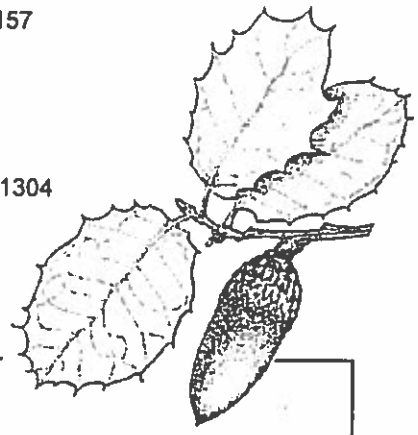
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



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Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

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:

1 Removal 9 Encroachment 10 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.

See attached.

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.

See attached.

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 danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.

See attached.

D. 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.

see attached.

OAK TREE PERMIT- CANYON CREST ROAD (APN: 5830-003-016)

Describe how the following findings will be satisfied:

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

Implementation of the proposed construction will result in encroachment to nine (9) of the 10 surveyed oak trees onsite. The removal of one (1) oak tree will occur under the proposed project development. Implementation of the proposed project will not endanger the health of the one (1) oak tree to remain or the nine (9) oak trees that will be encroached upon. Mitigation measures and preservation guidelines have been properly identified for the oak tree proposed to be removed, the nine (9) to have temporary or permanent encroachments into their protected zones, as well as for the oak tree that will remain with no encroachment. Note: oak tree #10 is encroached only by a cantilevered deck that should not interfere with any existing part of the oak tree. At the request of regional planning, this burden of proof counts it as an encroachment, though the oak tree report does not.

The project will comply with all the recommendations made by the oak tree consultant in the oak tree report to protect the health of the remaining trees. All work in the protected zone of oak trees will be done using hand implements only; the use of mechanized tools will be prohibited except where absolutely necessary and where approved by the County Forester. Equipment, materials and vehicles will not be stored, parked or operated within the protected zone of an oak tree, except on the already improved road base for work that is being performed in the immediate vicinity.

All work conducted within the protected zone of oak trees will be performed in the presence of a qualified oak tree consultant.

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.*

The proposed project construction will result in nine (9) encroachments and one (1) removal of the total 10 surveyed oak trees onsite. The proposed removal of the one (1) oak tree is not anticipated to result in any significant soil erosion through diversion or increased flow of surface waters. However, the project will implement erosion control measures to prevent any soil erosion through diversion or increased flow of surface waters that may occur during project implementation.

C *In addition to the above facts the following findings apply:*

1. That the removal of the 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 extent that:

b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized

One (1) oak tree will be removed under the project implementation, and nine (9) oak trees are proposed for encroachment that is within or immediately adjacent to the proposed development associated with the project. Due to the location of the trees, no reasonable

alternative to such interference exists other than the encroachment of the trees during construction and upon completion of the development due to the location of the proposed building. Other design alternatives have been thoroughly analyzed, but would result in more than the one (1) removal. The current design will allow the least amount of impacts to the protected oak trees.

D. 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.

The proposed encroachments will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure, as all retained trees shall be monitored as part of the proposed mitigation outlined in the project's Oak Tree Report. The applicant shall plant a minimum of 2 replacement oak trees within the open space areas of the property to replace the one (1) removal tree.

Burden of Proof

Per the Altadena CSD hillside amendment (http://planning.lacounty.gov/assets/upl/data/ord_altadena-csd-hm.pdf), our burden of proof is defined in Section C.2.b.ii, which says:

Applications for a minor conditional use permit shall include the information required by Section 22.56.215.D and shall substantiate the burden of proof required by Sections 22.56.090, 22.56.215.F.1.a. and 22.56.215.F.1.b

22.56.215
D. Additional Contents of Application. In addition to the material specified in Section 22.56.030, an application for a conditional use permit for hillside management or significant ecological areas shall contain the following information:

1.

In all applications:

a.

Panoramic or composite photographs from all major corners of the subject property and from major elevated points within the property; (SK: these were submitted in paper as part of ROAK T201400035 and can be found electronically on the CD for section 16. Per Nazar, not submitting additional copies.)

b.

Maps showing the existing topography of the subject property. Commercially available maps may be deemed acceptable:

i.

One copy of such map shall identify the locations of all drainage patterns, watercourses and any other physical features which are customarily found on topographical maps prepared by the United States Geological Survey, (SK: a full-size copy of the Record of Survey is included in the materials submitted, which contains two dotted lines annotated as FL. The dotted line spanning the trestle pipe denotes Millard Stream, a seasonal stream that runs 10+ months of the year. The other line is an open drainage channel into Millard, consisting of some rip-rap, originating in a ~24" culvert near the road. This channel acts as drainage/storm runoff for part of the property as well as a small area above it).

ii.

A second copy shall delineate all property having a natural slope of 25 to 49.99 percent, and a natural slope of 50 percent or more; (SK: this is included in the submission materials.)

c.

A grading plan to a scale satisfactory to the director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded; (SK: included in plans submitted)

d.

The following, if the construction of dwelling or other structures are part of the proposed project:

i.

Exterior elevation drawings, to a scale satisfactory to the director, indicating proposed building heights and major architectural features, and (SK: included in plans submitted).

ii.

Plans for decorative landscaping, showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. Such plan shall also include botanical and common names of all planting materials (SK: included in plans submitted).

2.

In hillside management areas, the following additional information:

a.

Geology and soil reports indicating active or potentially active faults at and near the proposed site and the stability of the area within the various slope categories used in this section, (SK: one paper copy submitted, also included in CD. Note that the report pre-dated final design of the house and used an earlier reference design. The recommendations remain valid for the final design.)

b.

For proposed residential uses in areas identified as nonurban hillside management areas in the General Plan, the number of acres within the following slope categories, as determined by a licensed civil engineer, licensed land surveyor or a registered geologist:

i.

Zero to 24.99 percent natural slope, (SK: As derived from the slope density map: 0.19ac)

ii.

25 to 49.99 percent natural slope, (SK: As derived from the slope density map: 0.12ac)

iii.

50 percent or greater natural slope; (SK: As derived from the slope density map: 0.7ac)

3.

In significant ecological areas, the following additional information: (SK: N/A)

a.

Identification and location of the resources constituting the basis for classification of such area as a significant ecological area where not provided by the environmental assessment or the initial study for an environmental document;

b.

Proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use; Such other information as the planning director determines to be necessary for adequate evaluation. The planning director may waive one or more of the above items where he deems such item(s) to be unnecessary to process the application.

22.56.090

A. The hearing officer shall approve an application for a conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

1.

That the proposed use will be consistent with the adopted general plan for the area. Where no general plan has been adopted, this subsection shall not apply; (SK: no general plan for the area. Lot is zoned R1 and is situated amidst other sparse residential properties).

2.

That the requested use at the location proposed will not:

a.

Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

(SK: Residential development is consistent with the prevailing use of the area and will not alter health, peace, comfort or welfare of existing residents).

b.

Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

(SK: Project design elements are intended to minimize the visual and material impacts to neighbors. The design follows the slope of the terrain and tucks the house in amid existing oak trees, which are preserved at the expense of increased cost and complexity. Exterior finishes are proposed to blend in with the terrain, as well or better than existing development, preserving the character of the space. From the street, a very small footprint will be evident. The project does not alter the on-street parking profile of Canyon Crest Road, nor is it incompatible with the intermittent use of part of

the lot by a neighbor for parking, despite the presence of on-street parking and the carport on his own lot.

Modern construction techniques, including a deep foundation and fire- and seismic- resistant assemblies, along with an appealing, modern, natural aesthetic that molds the house to its surroundings, will yield a house of equal or superior quality to the existing developments, preserving and enhancing the quality of the neighborhood. The development is in compliance with Altadena community standards).

c.

Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and (SK: Residential development is consistent with the prevailing use of the area and will not constitute a menace to the public health, safety or general welfare. Proposed construction techniques will result in fire resistance and seismic/slope stability equal to or superior to those of adjacent residences).

3.

That 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; and (SK: Standard setbacks are honored. In an attempt to preserve the character of the space and to minimize impacts to oak trees, the creation of yards with turf and fencing is not proposed. Indigenous, drought- and fire- resistant vegetation will be used. The project provisions for two off-street parking spaces.)

4.

That the proposed site is adequately served:

a.

By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (SK: Canyon Crest Road already services hundreds of residences from the Meadows neighborhood above. No additional appreciable strain will be put on this road.)

b.

By other public or private service facilities as are required.

(SK: Water, gas and electricity is available at the street, and sewer is available per discussions with the DPW by a brief extension of the main line immediately adjacent to the property.)

B.

The hearing officer shall deny the application where the information submitted by the applicant and/or presented at public hearing fails to substantiate such findings to the satisfaction of the hearing officer.

22.56.215.F.1.a. and 22.56.215.F.1.b

F. Burden of Proof. The application for a conditional use permit-hillside management and significant ecological areas shall substantiate to the hearing officer the following facts:

1.

Hillside Management Areas.

a.

That 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, and (SK: The design follows the slope of the terrain and tucks the house in amid existing oak trees, which are preserved despite increased cost and complexity. Exterior finishes are proposed to blend in with the terrain, as well or better than existing development, preserving the character of the space. From the street, a very small footprint will be evident. The project does not alter the on-street parking profile of Canyon Crest Road. In an attempt to preserve the character of the space and to minimize impacts to oak trees, the creation of yards with turf and fencing is not proposed. Indigenous, drought- and fire- resistant vegetation will be used. The project design is compliant with the recommendations of the soils/geology report, which indicates favorable conditions for a deep pile foundation. Modern construction techniques, compliance with modern codes, and a deep foundation will result in a house much more ably defended than its neighbors from slope instability, erosion, fire and seismic hazards).

b.

That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area (SK: The project attempts to preserve the natural character of the space, by going to great lengths to preserve the existing oak trees and use them to minimize the visual impact of the construction; by minimizing grading to preserve existing contours and the health of the oak trees; by echoing the contours of the existing grade in the design of the roof and outline of the house; by making use of exterior finishes that will blend with the terrain; by minimizing use of fences (as others on the street make extensive and unsightly use of); by siting the

project at the street with existing development well above the riparian environment of Millard Canyon; by designing a house of modest size (<1500sqft); and by minimizing the footprint of the house visible from the street. We intend to take good care of the more than 1 acre of the parcel (which has not seen consistent care), which includes a portion of the Millard streambed and riparian habitat, preserving it in its indigenous state.)

Environmental Checklist Form (Initial Study)

County of Los Angeles, Department of Regional Planning

Project title: Project No. R2014-02411-(5) / Minor Conditional Use Permit No. 201400014; Oak Tree Permit No. 201400035; and Environmental Assessment No. 201400194

Lead agency name and address: Los Angeles County, 320 West Temple Street, Los Angeles, CA 90012

Contact Person and phone number: Kristina Kulczycki, 213-974-6443

Project sponsor's name and address: Stephen Kuhn, 4381 Canyon Crest Road, Altadena CA 91001

Project location: Vacant parcel on Canyon Crest Road, Altadena; south of 3589 Canyon Crest Road, Altadena
APN: 5830-003-016 *USGS Quad*: Pasadena

Gross Acreage: 1.04 acres

General plan designation: N/A

Community/Area wide Plan designation: N – Nonurban (up to one dwelling unit per gross acre) in the Altadena Community Plan

Zoning: R-1-10000 (Single-Family Residence-10,000 Square Feet Minimum Required Lot Area) in the Altadena Community Standards District (CSD)

Description of project: The project is a request for a Minor Conditional Use Permit (MCP) to authorize the construction of a 1,699-square-foot single-family residence with a 451-square-foot attached garage on a 1.04-acre parcel in a hillside management area of the Altadena CSD. The project also includes a request for an Oak Tree Permit (OTP) to encroach within the protected zone of nine oak trees and to remove one oak tree. Two additional oak trees will also be removed, but are less than eight inches in diameter and are therefore not protected by the County Oak Tree Ordinance. The proposed residence will take access from Canyon Crest Road to the east with a new driveway leading to the 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 and will not exceed 33 feet and 10 inches in height. 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).

A single-family residence is permitted by right in the R-1-10000 Zone. However, per the requirements of the Altadena CSD, a new single-family residence that is proposed to be developed within an area containing natural slopes of 25 percent or more is required to obtain a MCP.

Surrounding land uses and setting: The subject property is an undeveloped parcel in Altadena that fronts on Canyon Crest Road to the east. 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. The surrounding area is developed with low-density, single-family residences and there is vacant land to the south and west of the site.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

Public Agency	*Approval Required*
None	N/A

Major projects in the area:

Project/Case No.	*Description and Status*
None	

Reviewing Agencies:

Responsible Agencies

- ☐ None
- Regional Water Quality Control Board:
  - ☒ Los Angeles Region
  - ☐ Lahontan Region
- ☐ Coastal Commission
- ☒ Army Corps of Engineers

Special Reviewing Agencies

- ☐ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☐ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of Santa Monica Mountains Area
- ☒ City of Pasadena

Regional Significance

- ☐ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns. Area
- ☐

Trustee Agencies

- ☐ None
- ☒ State Dept. of Fish and Wildlife
- ☐ State Dept. of Parks and Recreation
- ☐ State Lands Commission
- ☐ University of California (Natural Land and Water Reserves System)

County Reviewing Agencies

- ☒ DPW:
  - Land Development Division (Grading & Drainage)
  - Geotechnical & Materials Engineering Division
  - Watershed Management Division (NPDES)
  - Traffic and Lighting Division
  - Environmental Programs Division
  - Waterworks Division
  - Sewer Maintenance Division
- ☒ Fire Department
  - Forestry, Environmental Division
  - Planning Division
  - Land Development Unit
  - Health Hazmat
- ☐ Sanitation District
- ☒ Public Health/Environmental Health Division: Land Use Program (OWTS), Drinking Water Program (Private Wells), Toxics Epidemiology Program (Noise)
- ☐ Sheriff Department
- ☐ Parks and Recreation
- ☐ Subdivision Committee
- ☐

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Population/Housing
☐ Agriculture/Forest	☐ Hazards/Hazardous Materials	☐ Public Services
☐ Air Quality	☐ Hydrology/Water Quality	☐ Recreation
☐ Biological Resources	☐ Land Use/Planning	☐ Transportation/Traffic
☐ Cultural Resources	☐ Mineral Resources	☐ Utilities/Services
☐ Energy	☐ Noise	☐ Mandatory Findings of Significance
☐ Geology/Soils		

DETERMINATION: (To be completed by the Lead Department.)
On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature (Prepared by) — Date: 2/17/16

Signature (Approved by) — Date: 2/17/16

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.

8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

1. AESTHETICS

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Be visible from or obstruct views from a regional riding or hiking trail?	☐	☐	☒	☐
c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features?	☐	☐	☒	☐
e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The project is a request for a Minor Conditional Use Permit (MCP) to authorize the construction of a 1,699-square-foot single-family residence with an attached garage on a 1.04-acre hillside parcel in unincorporated Altadena and includes an Oak Tree Permit (OTP) request to encroach within the protected zone of nine oak trees and the removal of one oak tree.

Official State Scenic Highways are designated by the California Department of Transportation (CalTrans). According to CalTrans, "[t]he stated intent (Streets and Highway Code Section 260) of the California Scenic Highway Program is to protect and enhance California's natural beauty and to protect the social and economic values provided by the State's scenic resources" (State of California Department of Transportation, California Scenic Highway Program, website: http://www.dot.ca.gov/dist3/departments/mtce/scenic.htm, accessed August 3, 2015). While there are numerous designated Scenic Highways across the state, the following have been designated in Los Angeles County: Angeles Crest Highway (Route 2) from just north of Interstate 210 to the Los Angeles/San Bernardino County Line, two segments of Mulholland Highway from Pacific Coast Highway to Kanan Dume Road and from west of Cornell road to east of Las Virgenes Road, and Malibu Canyon-Las Virgenes Highway from Pacific Coast Highway to Lost Hills Road. The proposed project is not sited near any designated scenic highways, significant ridgeline, or other identified scenic resources, and would not result in any impacts related to having a substantial adverse effect on a scenic vista. *(Source: State of California Dept. of Transportation, California Scenic Highway Program).*

Riding and hiking trails have been designated throughout unincorporated Los Angeles County. At present, there are officially adopted trails in the Antelope Valley, the Santa Clarita Valley, and the Santa Monica Mountains designated by the General Plan or applicable Area/Community Plan and Local Coastal Program. Although the Arroyo Seco is west of the site and the Altadena Crest Trail and Cheney Trail are to the east, the proposed project is not sited adjacent to any designated riding or hiking trails, and would not result in any impacts related to having a substantial adverse visual impact on these resources. *(Source: County of Los Angeles Department of Parks and Recreation, U.S. National Forest Service)*

The Altadena Community Standards District (CSD) contains a subsection on hillside management areas with the intent to protect designated hillsides from incompatible development. The County of Los Angeles designates two hillside management areas, one urban and one non-urban with both designations applying to properties that have hillsides with a 25 percent grade or greater. The CSD provisions protect these resources by requiring almost all development on properties with either the urban or non-urban designation to obtain a Minor Conditional Use Permit (MCP) with the intent of preserving the remaining natural topography. Although the project proposes development within the hillside area, a single-family residence is a permitted use within the R-1-10000 Zone and the residence has been designed to minimize grading to a total of 30 cubic yards (15 cubic yards cut and 15 cubic yards fill to be balanced on the site). Renderings of the residence identify a green-gray-toned building that blends with the natural environment. Nine of the ten ordinance-sized oak trees will be preserved and will provide additional camouflaging between the neighbors and the proposed structures. The maximum height of the proposed building is 33 feet and 10 inches and the maximum height permitted in the Altadena CSD is 35 feet. Therefore, impacts to the visual character or quality of the site and its surroundings will be Less Than Significant.

The building pad area is surrounded and shaded by existing oak trees and is designed to follow the property's grade. Although the siding and roof of the building are proposed to be made of metal, if the project is approved with the current design a condition will be added to the permit that prohibits reflective, glossy, polished, and/or roll-formed type metal siding and roofing. Therefore, the project will not be a new source of substantial shadows, light, or glare and impacts will be Less Than Significant.

2. AGRICULTURE / FOREST

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Agricultural land is identified by the California Department of Conservation through the Farmland Mapping and Monitoring Program (FMMP), which produces maps and statistical data that are used for analyzing impacts on California's agricultural resources. Per the FMMP *(Source: California Department of Conservation, FMMP)*, there is no agricultural land on or near the project site. Therefore, there would be no impacts to agricultural land as a result of implementation of the proposed project.

Agricultural Opportunity Areas (AOA's) are a County-level identification tool that identifies areas where commercial agriculture is taking place and/or is believed to have a future potential based on the presence of prime agricultural soils, compatible adjacent land uses, and existing County land use policy. There are no AOA's located on or near the project site *(Source: (Source: General Plan 1980 Special Management Areas Map)*. Therefore, there would be no impacts to AOA's as a result of implementation of the proposed project.

The only Williamson Act contract lands in the County are located on Catalina Island and held by the Catalina Island Conservancy as set asides for open space and recreational purposes. As such, there are no agricultural Williamson Act contracts on the project site. Therefore, there would be no impact to Williamson Act contract lands as a result of implementation of the proposed project. *(Source: State of California Department of Conservation / Division of Land Resource Protection / California Department of Forestry and Fire Prevention Management Landscape Map)*

California Public Resources Code section 12220(g) defines forest land as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." California Public Resources Code section 4526 defines timberland as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land that is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. California Public Resources Code section 51104(g) defines Timberland production zones" or "TPZ" as an area which has been zoned and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. The project site does not qualify as forest land, timberland, or a timberland production zone (*Source: United States Forest Service*). Therefore, there would be no impact to forest land, timberland, or timberland production zones from the implementation of the proposed project. Accordingly, the proposed project would not result in any potentially significant impact related to agricultural resources.

3. AIR QUALITY

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the project:				
a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The project site is located in the South Coast Air Quality Management District (SCAQMD), which is responsible for monitoring air quality as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards in the region. A project for a single-family residence on a lot that is zoned to allow for residential uses is a small-scale project and therefore would not conflict with or obstruct implementation of the air quality management plan of the SCAQMD and impacts are expected to be Less Than Significant.

The project will involve the construction of a new single-family residence, but construction activities related to a single-family home are not large in scope. Additionally, single-family residences do not create substantial new sources of automobile trips or other issues that create substantial new sources of air pollutants. Therefore, the project is not expected to result in a change to the physical environment of the area and as such, the proposed project would not violate any applicable federal or state air quality standard or substantially contribute to an existing air quality violation, exceed any South Coast AQMD threshold, or otherwise result in a cumulatively considerable net increase of any criteria pollutant. However, it should be noted that the region is currently in non-attainment for several criteria pollutants (*Source: California*

Environmental Protection Agency Air Resources Board). Therefore, implementation of the proposed project would result in Less Than Significant impacts related to federal and state air quality standards.

Sensitive receptors are uses such as playgrounds, schools, senior citizen centers, hospitals or other uses that are more susceptible to poor air quality. AQMD Rule 402, which states "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals."

The project is located in an area that is developed with low-density, single-family development or vacant land. The project will involve the construction of a new single-family residence, but construction activities related to a single-family home are not large in scope. Additionally, single-family residences do not create substantial new sources of automobile trips or other issues that create substantial new sources of air pollutants. Therefore, the proposed project is not expected to increase exposure of sensitive receptors to substantial pollutant concentrations and impacts are expected to be Less Than Significant.

Single-family residences can be sources for new odors, such as backyard barbeques or fumes from yard maintenance equipment such as lawn mowers. However, these are not considered substantial sources of objectionable odors. Additionally, the surrounding area is sparsely populated and therefore, the project is not expected produce new sources of objectionable odors to a substantial number of people and impacts would be Less Than Significant.

4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	☐	☐	☒	☐

The proposed development is sited on a disturbed portion of the property supporting oak trees and non-native species. Disturbances related to road construction and dumping are present. Habitats suitable for special-status species are associated with the oak trees on the property, and these may support nesting and roosting by special-status bird and bat species. Compliance with state and federal laws protecting nesting bird and non-game mammal species, required as a condition of approval, would reduce any project-related effects to special-status species to a less than significant level.

b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?	☐	☐	☒	☐

The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (*Quercus agrifolia*) tree from the community for the construction of the proposed residence. The applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant.

c) Have a substantial adverse effect on federally or state protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

The proposed project includes no construction or discharge into jurisdictional areas, and no impacts to federally or state protected wetlands will occur.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☒ ☐

Active bird nests and bat maternity roosts may be present associated with oak trees on site. Compliance with state and federal laws protecting nesting bird and non-game mammal species, required as a condition of approval, would reduce any project-related effects to special-status species to a less than significant level.

e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, southern California black walnut, etc.)? ☐ ☐ ☒ ☐

The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (*Quercus agrifolia*) tree from the community for the construction of the proposed residence. The applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant.

f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16), and the Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, § 22.56.215)? ☐ ☐ ☐ ☒

Compliance with the conditions of the oak tree permit will ensure that the project does not conflict with local policies or ordinances protecting biological resources.

g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan? ☐ ☐ ☐ ☒

The proposed project site is not located within an area subject to the provisions of any adopted state, regional, or local habitat conservation plan.

5. CULTURAL RESOURCES

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in CEQA Public Resources Code § 21074?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

There are no California Historical Landmarks or Points of Historical Interest designated on the subject property and it is not listed on the National Register of Historical Places. Therefore the project is not expected to impact historic resources on or near the project site. Therefore, the impacts are expected to be Less Than Significant.

The project site does not contain any known significant archeological, paleontological, or geological resources, nor are there any known formal or informal cemeteries on or near the project site. Therefore, no archaeological, paleontological or geological resource or human remains are expected to be disturbed or adversely affected by the proposed project. As such, the proposed project would not cause a substantial adverse change to archaeological, paleontological or geological resources pursuant to CEQA Guidelines and impacts are Less Than Significant.

This property is located within an area that is culturally significant to the Gabrieleño Band of Mission Indians. However, staff consulted with a cultural representative who determined that since the trunk of the oak tree will not be removed and the project scope is limited to one single-family residence, the impact of the project will not cause substantial adverse change in the significance of a tribal resource. Therefore, impacts are anticipated to be Less Than Significant.

6. ENERGY

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Conflict with Los Angeles County Green Building Standards Code (L.A. County Code Title 31)?	☐	☐	☒	☐
b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The County's Green Building Program was established in 2008 and created green building development standards for new projects with the intent of conserving water; energy, and other natural resources as well as diverting waste from landfills, minimizing impacts to existing infrastructure, and promoting a healthier environment. All new development in the County must comply with Green Building Standards, as applicable, and thus the proposed project will not conflict with the requirement. The project proposes a single-family residence design that will be built to CalGreen Building Code standards, which will mitigate impacts related to hazardous construction materials, dust, glare, noise and energy. The project will also implement Low Impact Development (LID) standards for drainage and runoff/erosion control, and will have an onsite septic system with access from Canyon Crest Road acceptable to the Department of Public Health. Therefore, impacts related to energy are expected to be Less Than Significant.

Per Appendix F of CEQA guidelines, the goal of conserving energy implies decreasing overall per capita energy consumption, decreasing reliance on fossil fuels such as coal, natural gas and oil, and increasing reliance on renewable energy sources. The County's Green Building Program serves to meet these goals. The Green Building Program includes Green-Building Standards, Low-Impact Development standards, and Drought Tolerant Landscaping requirements. In addition, on January 2011, the State of California adopted the *CAL*Green Building Code with mandatory measures that establish a minimum for green construction practices.

As the proposed project must comply with all relevant green and energy standards, impacts would be less than significant and will be constructed to CALGreen Building Code Standards. Therefore, the project will not involve the use of inefficient energy resources and impacts are expected to be Less Than Significant.

7. GEOLOGY AND SOILS

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction and lateral spreading?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Southern California is susceptible to potential seismic hazards due to the existence of numerous faults throughout the region. This presents overall risks for damages to new and existing buildings as well as infrastructure. The Alquist-Priolo Earthquake Fault Zoning Act of 1972 prohibits the location of most structures for human occupancy across the traces of active faults, and lessens the impacts of fault rupture. The Seismic Hazards Mapping Act requires the California Geological Survey to prepare Seismic Hazard Zone Maps that show areas where earthquake induced liquefaction or landslides have historically occurred, or where there is a high potential for such occurrences. Liquefaction is a process by which water saturated granular soils transform from a solid to a liquid state during strong ground shaking. A landslide is a general term for a falling, sliding or flowing mass of soil, rocks, water and debris. The County General Plan also prohibits new developments, as defined by the Alquist-Priolo Act, within fault traces until a comprehensive geological study has been completed.

The project site is not located in a seismic hazard zone or an earthquake fault (*Source: California Geological Survey- Seismic Hazard Zone Map*). A geotechnical report dated April 17, 2014 and prepared by Irvine Geotechnical Inc. (Geotechnical Report) concluded that "ground rupture hazard at the site is considered low to nil," (*Source: Geotechnical Report, Page 7*) and therefore, impacts will be Less Than Significant. The Geotechnical Report does state that "the principal seismic hazard to the subject property and proposed project is strong ground shaking from earthquakes produced by local faults," (*Source: Geotechnical Report, Pages 8-9*), but concludes that construction techniques and additional reinforcement allow resistance to ground shaking. Therefore, impacts are expected to be Less Than Significant.

The site is located in an earthquake-induced landslide zone *(Source: California Geological Survey-Seismic Hazard Zone Map*), and therefore the project does have the potential to expose people and structures to adverse effects of landslides. Only 30 total cubic yards of grading is proposed with this project and at the request of the arborist, the grading will be done with hand tools. The Geotechnical Report concludes that "...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).* Therefore, the impacts related to landslides are expected to be Less Than Significant, and 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, and these impacts are expected to be Less Than Significant as well. There is a liquefaction zone on the property *(Source: California Geological Survey-Seismic Hazard Zone Map*); however, the Geotechnical Report indicates that "the potentially liquefiable soils are located within the stream channel and are remote to the proposed project. As such, liquefaction is not expected to impact the proposed development" (Source: *Geotechnical Report, Page 10*). Therefore, impacts are expected to be Less Than Significant.

The project does not propose the use of an on-site wastewater treatment system. Therefore, there will be no impact related to soils for on-site wastewater treatment systems.

Hillside Management Areas are identified by the County as areas that have a slope of 25 percent or greater. The project site is in a Hillside Management Area and almost the entire parcel is over 25 percent slope. A Conditional Use Permit is only required in nonurban hillside management areas when residential uses will exceed the low-density threshold. Since only one single-family residence is proposed and the property owner is not developing any other residences on adjacent properties, a Conditional Use Permit is not required for this project. However, this project is located within the Altadena Community Standards District (CSD) and there is a provision in the CSD for development within hillside management areas that requires a Minor

Conditional Use Permit for any development that is not otherwise subject to a Conditional Use Permit under the Hillside Management Ordinance. As such, the project is subject to the provisions and must meet the Burden of Proof requirements for a Minor Conditional Use Permit application as well as part of the Hillside Management Ordinance Burden of Proof (Sections 22.56.215.F.1.a, and 22.56.215.F.1.b of the County Code):

- That 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, and
- That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.

The project is located in a Very High Fire Hazard Severity Zone (*Source: California Department of Forestry and Fire Protection – Fire and Resource Assessment Program, CALFIRE, and County of Los Angeles Fire Department*). 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 and impacts are expected to be Less Than Significant. This Initial Study evaluates the potential project impacts on natural, biotic, cultural, scenic and open space resources. As is mentioned earlier 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.

8. GREENHOUSE GAS EMISSIONS

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The construction of a new single-family residence will generate new GHG emissions. Construction activities and the use of large mechanical equipment are sources of greenhouse gas emissions, and residents of single-family homes are the source of new car trips that also produce greenhouse gas emissions. However, the scale of these emission sources from a single-family home is small, and the project is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and the project is not expected to be in conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, impacts are expected to be Less Than Significant.

9. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:				
i) within a Very High Fire Hazard Severity Zones (Zone 4)?	☐	☐	☒	☐
ii) within a high fire hazard area with inadequate access?	☐	☐	☒	☐

iii) within an area with inadequate water and pressure to meet fire flow standards?	☐	☐	☒	☐
iv) within proximity to land uses that have the potential for dangerous fire hazard?	☐	☐	☒	☐
i) Does the proposed use constitute a potentially dangerous fire hazard?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Hazardous materials are generally defined as any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or future hazard to human health and safety or to the environment, if released into the workplace or the environment (Health and Safety Code (H&SC), §25501(o)). The California Department of Toxic Substances (DTSC) is responsible for classifying hazardous materials in the state of California. Hazardous materials are commonly stored and used by a variety of businesses and are commonly encountered during construction activities.

Construction activities generally include the temporary use of some hazardous materials, but the project, a single-family residence, is small in scale and will be constructed to California Green Code standards. Additionally, the project will not include the storage of any hazardous materials above or beyond normal household supplies, such as cleaning fluids. Therefore, the project is not expected to create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials, or create a significant hazard to the public or environment through reasonable foreseeable upset and accident conditions involving hazardous materials. Therefore, the project impacts are expected to be Less Than Significant.

The project site is located in an area that is developed with low-intensity, single-family development. A single-family home is not considered a use that emits hazardous emissions or handles hazardous materials and substances above and beyond normal household supplies, such as cleaning fluids. Any hazardous material use during construction activities will be small in scale and used only on a temporary basis. Therefore, the project is not expected to emit hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses, and projects are Less Than Significant.

DTSC oversees the cleanup of disposal and industrial sites that have resulted in contamination of soil and groundwater. In close cooperation with the United States Environmental Protection Agency, DTSC administers both state and federal hazardous waste programs including the Resource Conservation and Recovery Act (RCRA) the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 U.S.C. § 9601–9675), the Toxic Substances Control Act (TSCA) and a number of other State and Federal bodies of law dealing with hazardous materials and the environment. The Envirostor database lists properties regulated by DTSC where extensive investigation and/or cleanup actions are planned or have been completed at permitted facilities and clean-up sites. The project site is not located on any property identified by Envirostor and therefore, is not expected to create a significant hazard to the public or the environment. Therefore, impacts would be less than significant.

The project site is not located within an airport land use plan, within two miles of a public use airport, or within the vicinity of a private airstrip (*Source: Los Angeles County Airport Land Use Plan, document link: http://planning.lacounty.gov/assets/upl/data/pd_alup.pdf, accessed August 27, 2015*). Therefore, the project would

not result in a safety hazard for people residing or working near an airport or private airstrip and there are No Impacts.

The project is the construction of a single-family home on a parcel that is zoned for residential uses. The project therefore does not propose development that was not anticipated for the site. Therefore, the project is not expected to impair implementation of, or physically interfere with, an adopted emergency plan or emergency evacuation plan and impacts are expected to be Less Than Significant.

The project is located in a Very High Fire Hazard Severity Zone (*Source: California Department of Forestry and Fire Protection – Fire and Resource Assessment Program, CALFIRE, and County of Los Angeles Fire Department*). 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 and impacts are expected to be Less Than Significant.

The project is the construction of a single-family home on a parcel that is zoned for residential uses and is surrounded by low-intensity, single-family development. Single-family homes are not considered to constitute a potentially dangerous fire hazard and therefore, impacts from the project are expected to be Less Than Significant.

10. HYDROLOGY AND WATER QUALITY

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Add water features or create conditions in which standing water can accumulate that could increase habitat for mosquitoes and other vectors that transmit diseases such as the West Nile virus and result in increased pesticide use?	☐	☐	☒	☐
f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
g) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?	☐	☐	☒	☐
h) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84)?	☐	☐	☒	☐

i) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?	☐	☐	☒	☐
j) Use onsite wastewater treatment systems in areas with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)?	☐	☐	☒	☐
k) Otherwise substantially degrade water quality?	☐	☐	☒	☐
l) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain?	☐	☐	☒	☐
m) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain?	☐	☐	☒	☐
n) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
o) Place structures in areas subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Point sources of pollutants are singular locations at which pollutants are emitted into a water resource and non-point sources are uses where pollutants are emitted across a broad area and eventually make their way into a water body. The project is required to comply with the water quality requirements in the Basin Plan prepared by the Los Angeles Regional Water Quality Control Board. Additionally, all future development would be required to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES), under which Los Angeles County is a permittee. These water quality regulations are designed to minimize the impact of point and non-point sources of pollution sources that emanate from development. Therefore, the project is not expected to violate any water quality standards or waste discharge requirements and impacts are Less Than Significant.

The project is the construction of a single-family residence; a permitted use in the R-1-10000 Zone. The residence will be constructed to required California Green Code building standards. The applicant has obtained will serve letters from the Lincoln Avenue Water Company and Pasadena Water and Power. Therefore, the project is not expected to substantially deplete groundwater supplies or interfere with groundwater recharge such that there would result in deficit to the groundwater table and impacts are Less Than Significant.

There is a stream on the subject property located approximately 150 feet west of the proposed building pad area at the bottom of the canyon. There is also an existing drainage culvert that will remain on the property east of the proposed residence that has an existing drainage path running southeast of the proposed building. As the project site is currently undeveloped, the project will alter the existing drainage pattern of the site and will also increase the amount of surface runoff with the addition of impermeable surface area. However, all projects must comply with all applicable NPDES requirements and the Low Impact Development (LID) standards for small-scale residential projects which include management of drainage and surface runoff. Therefore, the project is not expected to result in substantial erosion or siltation on or off-site, increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or significantly affect surface water or groundwater quality. Impacts are therefore Less Than Significant.

Areas of Special Biological Significance (ASBS) are designated by the State Water Resources Control Board. In Los Angeles County, ASBSs exist in the ocean waters along the coast of the City of Malibu and around Santa Catalina Island (*Source: California State Water Resources Control Board, California's Areas of Special Biological Significance: http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs_map.shtml, accessed August 31, 2015*). This project is not located near any ASBS and single-family residences are not considered to be significant point or non-point sources of pollutant discharges. Furthermore, the site is required to comply with all applicable LID development standards and NPDES requirements. Therefore, the project is not expected to affect any ASBS and impacts are Less Than Significant.

No septic tanks will be utilized as part of this project. The single-family residence will be connected to the municipal sewage system. The project does not utilize onsite wastewater treatment systems in areas with known geological limitations. The domestic wastewater disposal impact will be Less Than Significant.

The Federal Emergency Management Agency (FEMA) prepares hydrological studies throughout the country, called Flood Insurance Studies, in order to identify areas that are prone to flooding. From the results of these studies, FEMA prepares Flood Insurance Rate Maps (FIRMs) that are designed to geographically depict the location of areas prone to flooding for purposes of determining risk assessment for flood insurance. An area that has been designated a 100-year flood plain is considered likely to flood under the 100-year storm event. The project site is located in a "D,X FEMA Flood Zone" meaning areas determined to be outside the 0.2% annual chance floodplain and areas in which flood hazards are undetermined, but possible. However, the project site is not located within 100-year flood zone, in a dam inundation area, or an area subject to inundation by seiche, tsunami, or mudflow (*Sources: Federal Emergency Management Agency "Flood Insurance Rate Maps" from the Los Angeles County Department of Public Works http://ladpw.org/wmd/floodzone/, accessed August 31, 2015). and the Los Angeles County Tsunami Inundation: http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/LosAngeles/Pages/LosAngeles.aspx, accessed August 31, 2015).* Therefore, impacts related to hazards for flood zones, floodways, dam failures and inundations, seiches, tsunamis, or mudflows are expected to be Less Than Significant.

11. LAND USE AND PLANNING

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?	☐	☐	☒	☐
b) Be inconsistent with the applicable County plans for the subject property including, but not limited to, the General Plan, specific plans, local coastal plans, area plans, and community/neighborhood plans?	☐	☐	☒	☐
c) Be inconsistent with the County zoning ordinance as applicable to the subject property?	☐	☐	☒	☐
d) Conflict with Hillside Management criteria, Significant Ecological Areas conformance criteria, or other applicable land use criteria?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The project site is zoned to allow residential uses and located in an area that is developed with low-intensity, single-family development. Therefore, the project will not physically divide an established community and impacts are Less Than Significant. The project is subject to the provisions for single-family residences as outlined in the Altadena Community Plan and the R-1-10000 Zone, and the project is compliant with all development standards. The subject property is designated N-Nonurban by the Altadena Community Plan. Areas within this designation are foothill lands which are suitable for non-urban residential uses. Therefore, the project is consistent with the General Plan, the Altadena Community Plan, and the County Zoning Code requirements and impacts are Less Than Significant.

The Altadena Community Standards District (CSD) contains a subsection on hillside management areas with the intent to protect designated hillsides from incompatible development. The County of Los Angeles designates two hillside management areas, one urban and one non-urban with both designations applying to properties that have hillsides with a 25 percent grade or greater. The CSD provisions protect these resources by requiring almost all development on properties with either the urban or non-urban designation to obtain a Minor Conditional Use Permit (MCP) with the intent of preserving the remaining natural topography. Although the project proposes development within the hillside area, a single-family residence is a permitted use within the R-1-10000 Zone and the residence has been designed to minimize grading to a total of 30 cubic yards (to be balanced on the site). Therefore, the project is not in conflict with the Hillside Management criteria and impacts will be Less Than Significant.

Although the project site is not located in a currently mapped Significant Ecological Area (*Source: General Plan 1980 Special Management Areas Map)*, there is oak woodland near the stream as well as near the building pad on the property. However, the project will not significantly affect the oak woodland as the building pad is over 150 feet from the stream and only one oak tree is proposed to be removed as part of this project. If

the project is approved, standard conditions will be added to the permit to require two replacement oak trees to be planted on the site. Therefore, impacts will be Less Than Significant.

12. MINERAL RESOURCES

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The County depends on the State of California's Geological Survey (State Department of Conservation, Division of Mines and Geology) to identify deposits of regionally- significant aggregate resources. These clusters or belts of mineral deposits are designated as Mineral Resources Zones (MRZ-2s). According to the General Plan for Los Angeles County, there are no known mineral resources located in the project area (*Source: General Plan 1980 Special Management Areas Map).* Additionally, according to the California State Department of Conservation, Division of Mines and Geology, there are no known aggregate resource areas in the project area (*Source: California Department of Conservation, California Geological Survey, Aggregate Availability in California Map http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS_52_2012.pdf, accessed August 31, 2015*). Therefore, the proposed project will not result in the loss of availability of a known mineral resource or mineral resource of local importance that would be of value to the region and the residents of the State as delineated on a local general plan, specific plan, or other land use plan.

13. NOISE

Would the project result in:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

EVALUATION OF ENVIRONMENTAL IMPACTS:

All development must comply with all applicable provisions of Title 12 of the Los Angeles County Code or the General Plan Noise Element. A single-family residence is not considered a major source of noise generation. Therefore, the project is not expected to expose persons to, or generate, noise levels in excess of any applicable County noise standards, and the project is not expected to create a substantial permanent increase in ambient noise levels in the project vicinity. Impacts are expected to be Less Than Significant.

Amplified sound systems are not a component of the proposed project. Activities related to the construction of the residence, however, will cause a temporary increase in ambient noise levels and may also cause the generation of excessive groundborne vibration and noise levels. Noise from the construction of the single-family residence will be temporary in nature and must comply with County noise standards for

construction. Therefore, impacts related to groundborne vibrations and periodic increases in ambient noise levels are expected to be Less Than Significant.

There is no adopted airport land use plan, public airport, or known private airstrip near the project site (*Source: Los Angeles County Airport Land Use Plan, document link: http://planning.lacounty.gov/assets/upl/data/pd_alup.pdf, accessed August 27, 2015*). Therefore, the project will not expose people residing or working in the project area to excessive noise levels from airports and airstrips. No Impacts are anticipated.

14. POPULATION AND HOUSING

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
d) Cumulatively exceed official regional or local population projections?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Typical local thresholds of significance for housing and population growth include effects that would induce substantial growth or concentration of a population beyond a city's or county's projections; alter the location, distribution, density, or growth rate of the population beyond that projected in the city or county general plan housing element; result in a substantial increase in demand for additional housing, or create a development that significantly reduces the ability of the county to meet housing objectives set forth in the city or county general plan housing element.

The proposed project does not propose changes to land use designations, zoning, or existing housing regulations. No new infrastructure, such as a new road, will be required for the construction of the single-family residence. Therefore, impacts are expected to be Less Than Significant. The subject parcel is vacant and no existing housing units will be demolished; therefore, it will not displace substantial numbers of existing housing or people and No Impacts are anticipated.

The subject parcel is currently undeveloped land zoned for residential uses; therefore, some new population will be added to the area. However, the project is not expected to induce substantial population growth and is not expected to cumulatively exceed official regional or local population projections. Therefore, impacts are expected to be Less Than Significant.

15. PUBLIC SERVICES

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Sheriff protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Libraries?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

Fire suppression services in unincorporated Los Angeles County are provided by the Los Angeles County Fire Department (LAFD), which has 22 battalions providing services to 58 cities and the whole unincorporated area of Los Angeles County. Development in the unincorporated areas must comply with the requirements of the Fire Code (Title 32), which provides design standards for all development in the unincorporated County. The project is located in a Very High Fire Hazard Severity Zone (*Source: California Department of Forestry and Fire Protection – Fire and Resource Assessment Program, CALFIRE, and County of Los Angeles Fire Department*). The proposed project is for a single-family residence in an area zoned for residential uses. As such, impacts related to the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives for fire services from the proposed project are expected to be Less Than Significant.

Law enforcement services within the unincorporated Los Angeles County are provided by the Los Angeles County Sheriff's Department. The Los Angeles County Sheriff's Department strives to maintain a service ratio of approximately one officer for every 1,000 residents within the communities it serves. The proposed project is for a single-family residence in an area zoned for residential uses, and single-family residences are not considered sources of high crime. Therefore, impacts related to the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objective are expected to be Less Than Significant.

The proposed project is for a single-family residence in an area zoned for residential uses and as such is not considered a source for significantly inducing population growth. Therefore, impacts to public school systems are expected to be Less Than Significant.

In Los Angeles County, parks are operated and maintained by the Department of Parks and Recreation. The Los Angeles County General Plan, Regional Recreation Areas Plan, provides the standard for the allocation of parkland in the unincorporated county. This standard is four acres of local parkland per 1,000 residents and six acres of regional parkland per 1,000 residents. The proposed project is for a single-family residence in an area zoned for residential uses and as such is not considered a source for significantly inducing population growth, and therefore would not result in a significant increase in demand for public park sites or services. Therefore, impacts are expected to be Less Than Significant.

In the unincorporated portions of Los Angeles County, as well as in 50 of the 88 cities within the County, library services are provided by the County of Los Angeles Public Library. The proposed project is for a single-family residence in an area zoned for residential uses and as such is not considered a source for significantly inducing population growth. The project is therefore not expected to put increased demands on library or any other public services. Therefore, impacts are expected to be Less Than Significant.

16. RECREATION

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include neighborhood and regional parks or other recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐
c) Would the project interfere with regional open space connectivity?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

The Los Angeles County General Plan standard for the provision of parkland is four acres of local parkland per 1,000 residents of the population in the County's unincorporated areas, and six acres of regional parkland per 1,000 residents of the County's total population.

A project to construct a single-family residence is not expected to significantly contribute to increased population growth to the area. Therefore, the project is not expected to induce any new population growth that would affect neighborhood, regional parks, or other recreational facilities and is not expected to have an adverse physical effect on the environment. Therefore, the impacts related to the proposed project are expected to be Less Than Significant.

The project site is located in a zone that allows for low density residential development. However, there are several open space areas within the vicinity of the project including the Angeles National Forest and the Upper Arroyo Seco Open Space to the north, the Hahamongna Watershed Park to the southwest, and Millard Canyon which is west of the project development area, but is located on the subject property. The canyon area will remain open space and is distant from the proposed development area and therefore, will not interfere with regional open space connectivity. Therefore, the impacts related to the proposed project are expected to be Less Than Significant.

17. TRANSPORTATION/TRAFFIC

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

A project to construct a single-family residence is not expected to significantly contribute to increased population growth to the area and is not a contributor to a significant increase in traffic trips. Thus, no additional demand for transportation services is expected, and the project is not expected to interfere with any measure of effectiveness for the performance of the circulation system. All future development on the site will continue to be required to comply with all current policies and regulations as maintained by the Department of Public Works relating to traffic and all modes of transportation, including policies that establish measures of effectiveness for the performance of the circulation system. Therefore, impacts are expected to be Less Than Significant.

The Congestion Management Plan (CMP) for Los Angeles County is administered by the Los Angeles County Metropolitan Transportation Authority. The CMP monitors the relationship between land use and transportation at numerous intersections, freeway segments, and rail corridors. The project for the construction of a single-family residence is not expected to induce new population growth or result in new development in the area, and thus, would not require the construction of any new transportation infrastructure or generate a significant amount of new traffic trips after construction of the residence is completed. Accordingly, the proposed project would not exceed thresholds for a CMP Congestion Impact Analysis. Additionally, all future development will continue to be required to comply with the County CMP and therefore, impacts are expected to be Less Than Significant related to exceeding the CMP Transportation Impact Analysis thresholds. For the same reasons, it is expected that the proposed project will have Less Than Significant impacts related to any conflicts with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards and travel demand measures, or other standards established by the CMP, for designated roads or highways.

There are no public airports or known private airstrips near the project site. The proposed project, a single-family residence, would not result in any development that either increases demand for air travel services or results in the development of structures sufficiently tall that flight paths need to be altered or necessitates a change in location that results in substantial safety risks. Impacts would be Less Than Significant.

The site access and the circulation for the proposed project are required to be in compliance with all applicable County standards and specifications. Therefore, the project will not increase any hazards due to design features and will provide adequate access for emergencies.

The project for the construction of a single-family residence is not expected to induce new population growth or result in new development in the area. Therefore, the proposed project would not conflict with the Bicycle Master Plan, Pedestrian Plan, Transit Oriented District development standards in the County General Plan Mobility Element, or other adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts and bicycle racks). Lincoln Avenue and Loma Alta Drive are both located approximately one quarter mile southeast of the project site and are main circulation routes through Altadena. Both Lincoln Avenue and Loma Alta Drive are identified as proposed Class III Bike Routes within the 2012 County of Los Angeles Bicycle Master Plan. All future development on the site will continue to be required to comply with all applicable policies and regulations contained in other transportation plans, and therefore, impacts are expected to be Less Than Significant.

18. UTILITIES AND SERVICE SYSTEMS

Would the project:	*Potentially Significant Impact*	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of either the Los Angeles or Lahontan Regional Water Quality Control Boards?	☐	☐	☒	☐
b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?	☐	☐	☒	☐
e) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:

All public wastewater disposal (sewer) systems are required to obtain and operate under the terms of an NPDES (National Pollution Discharge Elimination System) permit, which is issued by the local Regional Water Quality Control Board (RWQCB). The NPDES is a permitting program that established a framework for regulating municipal, industrial, and construction stormwater discharges into surface water bodies and stormwater channels.

The Los Angeles and Lahontan Regional Water Quality Control Boards are responsible for implementing the federally-mandated NPDES program in the County through the adoption of an Order, which is effectively the NPDES Permit for that region. The Los Angeles Regional Board's Permit designates 84 cities within the Board's region as permittees, and the County as the principal permittee of the NPDES Permit. The NPDES Permit defines the responsibilities of each permittee to control pollutants, including the adoption and enforcement of local ordinances and monitoring programs. The principal permittee is responsible for coordinating activities to comply with the requirements set forth in the NPDES Permit, but is not responsible for ensuring the compliance of any other permittee. The County's Stormwater Ordinance requires that the discharge, deposit, or disposal of any stormwater and/or runoff to storm drains must be covered by a NPDES permit.

For the unincorporated areas, in accordance with the NPDES Permit, the County implements a Standard Urban Stormwater Mitigation Plan (SUSMP) at the project site level to address pollutants generated by specific activities and types of development. The main purpose of this planning program is to identify new construction and redevelopment projects that could contribute to stormwater pollution, and to mitigate run-off from those projects by requiring that certain Best Management Practices be implemented during and after construction. Moreover, the SUSMP prevents erosion by controlling runoff rates, protecting natural slopes and channels, and conserving natural areas.

The Los Angeles County Integrated Waste Management Plan (IWMP), which is compiled by the interagency Integrated Waste Management Task Force and updated annually, has identified landfills with sufficient disposal capacity for the next 15 years, assuming current growth and development patterns remain the same. In addition to the projections of the IWMP (see above), all projects must comply with other documents required by the California Integrated Waste Management Act of 1989 (AB 939).

The County's Green Building Program's three ordinances were adopted in 2008 and were created to implement new green-building practices for projects in the County with the goals to conserve water, conserve energy, conserve natural resources, divert waste from landfills, minimize impacts to existing infrastructure, and promote a healthier environment. The Green Building Program consists of the Green Building Ordinance, the Low Impact Development Ordinance, and the Drought Tolerant Landscaping Ordinance.

The project is the construction of a single-family residence; a permitted use in the R-1-10000 Zone. The residence will be constructed to required California Green Code building standards. The applicant has obtained will serve letters from the Lincoln Avenue Water Company and Pasadena Water and Power. The applicant shall comply with the conditions provided in the will serve letter. Both will serve letters contain expiration dates. It is the applicant's sole responsibility to renew the will serve letter in a timely manner (if necessary) prior to the public hearing. Failure to do so may cause delays in the project approval.

The project includes a proposed connection to the existing sewer line. There is currently an existing sewer line in the vicinity of the project however that line doesn't extend along the subject property frontage. Therefore, it will be the responsibility of the applicant to extend the existing public sewer line from manhole 17 all the way along the subject property frontage. The proposed extension will be adequately sized to accommodate all future upstream discharge tributary to this sewer.

As this project is located on a street containing other residences, utility services are available to the property. Furthermore, the proposed project is not expected to induce significant population growth or new development in the area. As such, the project is not expected to increase demand for energy or utility services in the area beyond what was anticipated for the property as zoned for a single-family residence. Therefore, the impacts to energy and solid waste services are expected to be Less Than Significant.

19. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	*Less Than Significant Impact with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

Although there is a stream on the subject property, the proposed development will be located approximately 150 feet from the stream. Additionally, grading will be limited to 30 cubic yards which will be balanced on the site and grading work will be conducted with hand tools. Therefore, impacts are anticipated to be Less Than Significant.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐

The zoning of the project site is R-1-10000 which allows single-family residences as a permitted use. Therefore, the proposed single-family residence is a use that is consistent with the zoning. Within the "Environmental Resources" section of the Altadena Community Plan there is a goal to maintain a high level of environmental quality for the Altadena community. As evaluated in this Initial Study, the project is sited near the road and maintains approximately 150 feet from the stream on the property. The project is designed to be sensitive to the existing oak woodland with only one protected oak tree being removed. Furthermore, the scope and size of the project are minimal in size and therefore, impacts are anticipated to be Less Than Significant.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐

The project is a request to construct a single-family residence. Single-family residences are not considered as significant contributors to population growth or an increase demand on utility, public service, or energy service systems. As such, the proposed project is not expected to increase any demand for public services or have cumulative impacts on the environment, and therefore impacts are expected to be Less Than Significant.

d) Does the project have environmental effects which	☐	☐	☒	☐

will cause substantial adverse effects on human beings, either directly or indirectly?

As discussed in this Initial Study, the proposed project would not result in any environmental effects which will cause substantial adverse effects to human beings. Impacts related to adverse effects on human beings, either directly or indirectly would be Less Than Significant.

TRIBAL CULTURAL RESOURCES ("AB 52")

Compliance Checklist

(Initial Study Attachment)

Procedural Compliance

1. **Has a California Native American Tribe (s) requested formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe?**

   ☒ Yes Tribe(s) to notify: Tataviam Band of Mission Indians

   ☐ No (End of process)

2. **Notification letter (s) informing the California Native American Tribe (s) of the proposed project was mailed on** August 18, 2015 **, which was within 14 days when project application was determined complete or the County decided to undertake a project.**

3. **Did the County receive a written request for consultation from the California Native American Tribe(s) within 30 days of when formal notification was provided?**

   ☒ Yes Date: September 16, 2015

   ☐ No (End of process)

4. **Consultation process with the California Native American Tribe(s) consisted of the following:**

   Staff contacted the Tribe by phone and spoke to Kimia Fatehi on September 16, 2015 to discuss the project and potential impacts to the cultural resources. Between September 22-29, 2015, staff communicated with Ms. Fatehi on this project. She requested that staff contact Anthony Morales of the Gabrieleño Band of Mission Indians because they have a more direct lineage to the project location. Staff contacted Mr. Morales on September 29, 2015. During a phone conversation, Mr. Morales indicated that he concurred with the determination that the impacts to the project would be less than significant because the oak tree stump would not be removed and the project scope would be limited to one single-family residence with minimal grading. A phone call to Ms. Fatehi confirmed that she is satisfied with the consultation after understanding that the oak tree stump would not be removed.

5. **Consultation process concluded on** September 29, 2015 **by either of the following:**

☒ The parties concluded that no mitigation measures are necessary

☐ The parties agreed to measures to mitigate or avoid a significant effect on a tribal cultural resource (see attached mitigation measures)

☐ The County acted in good faith and after reasonable effort, concluded that mutual agreement cannot be reached

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VIA ELECTRONIC & U.S. MAIL

March 24, 2016

Kristina Kulczycki
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING (DRP)
320 West Temple Street
Los Angeles, California 90012
Em: kkulczycki@planning.lacounty.gov

RE: Canyon Crest Conservancy Comment Letter Regarding Agenda Item No. 10 for the County of Los Angeles April 5, 2016 Public Hearing Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014.

Dear Ms. Kulczycki,

On behalf of Canyon Crest Conservancy ("**Conservancy**" or "**CCC**"), my Office is providing comments concerning Agenda Item No. 10 for April 5, 2016 County of Los Angeles ("**County**") Public Hearing Regarding Project No. R2014 – 02411-(5), ROAK 201400035, and RMCP 201400014 ("Project").

CCC is a group of concerned Altadena residents who are dedicated to open spaces and quality of life in the Canyon Crest area.

CCC urges the County of Los Angeles to reject the Project for violating the California Environmental Quality Act, Cal. Pub. Res. Code §§ 21000 et seq. ("**CEQA**"), the Altadena Community Standards, County Code § 22.44.127 ("**Community Standards**"), as well as the County's Oak Tree Ordinance, Co. Code 22.56.2050 *et seq* ("**Oak Tree Ordinance**").

I. THE PROJECT VIOLATES THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

a. Background On The California Environmental Quality Act.

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report except in very limited circumstances. *See, e.g.*, Cal. Pub. Res. Code § 21100. The EIR is the very heart of CEQA. *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109. CEQA applies to agency projects that may have an adverse environmental impact. *Friends of Mammoth v. Board of Supervisors*, 8 Cal.3d 247, 259 (1972); *Friends of B Street v. City of Hayward*, 106 Cal.App.3d 988, 1003 (1980) (project that included removal of trees

caused significant effect on environment). CEQA has two broad purposes: 1) avoiding, reducing or preventing environmental damage by requiring alternatives and mitigation measures (14 Cal. Code Regs. § q15002(a)(2)-(3) (hereinafter "**CEQA Guidelines**")); and 2) providing information to decision makers and the public concerning the environmental effects of the proposed project. CEQA Guidelines § 15002(a)(1).

To achieve its objectives of environmental protection, CEQA has a three-tiered structure. CEQA Guidelines § 15002(k); *Comm. to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1185 – 86. First, if a project falls into an exempt category, or it can be seen with certainty that the activity in question will not have a significant effect on the environment, no further agency evaluation is required. *Id.* Second, if there is a possibility the project will have a significant effect on the environment, the agency must perform a threshold initial study. *Id.*; CEQA Guidelines § 15063(a). If the study indicates that there is no substantial evidence that the project may cause a significant effect on the environment the agency may issue a negative declaration. *Id.*, CEQA Guidelines §§ 15063(b)(2), 15070. Finally, if the project will have a significant effect on the environment, an environmental impact report ("**EIR**") is required. *Id.*

b. Background On Initial Studies And The "Fair Argument Standard.

As the California Supreme Court very recently held, "If no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." *Communities for a Better Environment v. South Coast Air Quality Management Dist. (ConocoPhillips)* (2010) 48 Cal. 4th 310, 319-320 ("*CBE v. SCAQMD*"), citing, *No Oil, Inc. v. City of Los Angeles*, 13 Cal.3d at pp. 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal. App. 3d 491, 504–505) "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109.

An EIR is required if "there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment." Pub. Res. Code § 21080(d) (emphasis added); see also *Pocket Protectors*, 124 Cal.App.4th at 927. In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR CEQA Guidelines § 15371, only if there is not even a "fair argument" that the project will have a significant environmental effect. Pub. Res. Code §§ 21100, 21064. Since "[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process," by allowing the agency "to dispense with the duty [to prepare an EIR]," negative declarations are allowed only in cases where "the proposed project will not affect the environment at all." *Citizens of Lake Murray v. San Diego*, 129 Cal.App.3d 436, 440 (1989) CEQA contains a "***preference for resolving doubts in favor of environmental review.***" *Pocket Protectors*, 124 Cal.App.4th at 927 (emphasis in original).

An Initial Study is improper, and an EIR is required, whenever substantial evidence in the record supports a "fair argument" that significant impacts may occur. Under the "fair argument" standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency's decision. CEQA Guidelines § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon v. Stanislaus* (1995) 33 Cal.App.4th 144, 150-151 (1995); *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal. App. 4th 1597, 1602.) The "fair argument" standard creates a "low threshold" favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal.App.4th at 928.

The "fair argument" standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

> This 'fair argument' standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

Kostka & Zischke, *Practice Under CEQA*, §6.29, pp. 273-274. The Courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with a ***preference for resolving doubts in favor of environmental review***." *Pocket Protectors*, 124 Cal.App. 4th at 928, emphasis in original.

As a matter of law, "substantial evidence includes . . . expert opinion." (Pub.Res.Code § 21080(e)(1); CEQA Guidelines § 15064(f)(5).) CEQA Guidelines demand that where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the environmental effects to be significant and prepare an EIR. (CEQA Guidelines § 15064(f)(5); Pub. Res. Code § 21080(e)(1); *Pocket Protectors*, 124 Cal.App. 4th at 935.) "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." (Pub. Res. Code § 21068; see also Guidelines 15382.) An effect on the environment need not be "momentous" to meet the CEQA test for significance; it is enough that the impacts are "not trivial." (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 83.) In the recent *Pocket Protectors* case, the court explained how expert opinion is considered. The Court limited agencies and courts to weighing the admissibility of the evidence. (*Id.*) In the context of reviewing a Negative Declaration, "neither the lead agency nor a court may 'weigh' conflicting substantial evidence to determine whether an EIR must be prepared in the first instance." (*Id.*) Where a disagreement arises regarding the validity of a negative declaration, the courts require an EIR. As

the *Pocket Protectors* court explained, "It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project." (*Id.*)

The case of *Christward Ministry v. Superior Court of San Diego County*, 184 Cal.App.3d 180 (1986) explains the standard of judicial review when a lead agency declines to prepare an EIR:

> On a claim an EIR rather than a negative declaration should have been prepared, the courts look to see if there was substantial evidence to support the agency's conclusion it could not be "fairly argued" the project would have a significant environmental impact. (*Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 503-504 [184 Cal.Rptr. 664].) If there is no substantial evidence to support the agency's conclusion a fair argument cannot be made that the project will have a significant environmental impact, then the agency's action in adopting a negative declaration amounts to an abuse of discretion by the agency and a failure to proceed in a manner required by law. (*Ibid.*)

Christward Ministry v. Superior Court of San Diego County, 184 Cal.App.3d 180, 187 (1986).

c. The Project Will Have Significant Environmental Impacts

1. The Project Will Have Significant Impacts On Wildlife.

The Project will have significant impacts on wildlife, particularly wildlife crossings in and around the Project Site. CCC members have observed numerous animal species utilizing the Project Site, including mountain lions, bears, foxes, bobcats, deer, and a host of smaller native mammals such as opossums, raccoons, skunks, and three species of squirrel to cross Canyon Crest Road to access wildlife below. Email from Mary Ellen Schoeman to Kristina Kulczycki, County of Los Angeles (Mar 16, 2016) (attached as Exhibit A) (hereinafter "**Schoeman Letter**"); Letter from Michael and Mindy Hickman (undated) (attached as Exhibit G).

Despite the fact that the Project's Initial Study adopts a negative declaration, claiming that Project "could not" have a significant effect on the environment and does not require *any mitigation measures*, Initial Study at 4, the Initial Study adopts *non-enforceable* mitigation measures to mitigate impacts to wildlife. The Initial Study concedes that habitat "suitable for special – status species" is on the Project Site and may "support nesting and roosting by special-status bird and bat species." The Initial Study proposes to mitigate its impacts by "[c]ompliance with state and federal laws protecting nesting bird and non game mammal species." Initial Study at 12. The Project will have a potentially significant impact on wildlife.

2. The Project Will Have Significant Impacts On Riparian Oak Woodland.

The Project will have significant impacts on Riparian Oak Woodland, a State protected vegetation community. California Public Resources Code Section 21083.4 requires the County to "determine whether a project within its jurisdiction may result in a conversion of oak woodlands

that will have a significant effect on the environment." The County's Oak Woodlands Conservation Management Plan Guide requires that the County conserves oak woodlands "with no net loss of existing woodlands. Los Angeles County Oak Woodlands Conservation Management Plan Guide (2014) 2 (attached as Exhibit B).

According to Rebecca Latta, a certified arborist, the Project will involve the removal of 3 to 4 oak trees, infringement into the protected zones of numerous other oak trees, and alteration of a drainage stream that could negatively impact oak trees on the property. Letter from Rebecca Latta to Kristina Kulczycki, County of Los Angeles (Mar. 16, 2016). The Project will significantly impact riparian oak woodland (attached as Exhibit C) (hereinafter "**Latta Letter**"): *see also* Letter from John P. Lynch to Kristina Kulczycki, County of Los Angeles (Mar. 21, 2016) (attached as Exhibit D).

Despite the fact that the Project's Initial Study adopts a negative declaration, claiming that Project "could not" have a significant effect on the environment and does not require *any mitigation measures*, Initial Study at 4, the Initial Study adopts *non-enforceable* mitigation measures to mitigate impacts to sensitive natural vegetation communities that could come from the Project. Notably, the Project proposes to plant two oak trees as mitigation for the removal of oak trees on the Project site. Initial Study at 12.

Moreover, the Initial Study claims that it is not subject to the "provisions of any adopted state, regional, or local habitat conservation plan," Initial Study at 13, despite being required to mitigate the removal of oak trees on the Project Site pursuant to the County's Oak Woodlands Conservation Management Plan and Oak Tree Regulations, County Code § 22.46.2100, *et seq.*

3. The Project Will Have Significant Impacts On Traffic.

The Project will have significant impacts on traffic in and around the Project Site. The Project Site is located on a narrow, winding mountain road that serves as the only vehicle access in or out of a single-family neighborhood. The Project proposes to contain the entirety of the staging area on a small site currently only able to accommodate 1-2 small vehicles, a near impossibility. Schoeman Letter at p. 1.

4. The Project Will Have A Significant Impacts On Aesthetics.

The Project will have a significant impact on aesthetics in and around the Project Site. The Project will block scenic vistas visible from Canyon Crest Road as well as for numerous surrounding neighbors. Project Rendering (attached as Exhibit E); Statement of Opposition from Randall Baer (undated) 1 –3 (attached as Exhibit F) (hereinafter "**Baer Statement**"). Moreover, the Project is out of character with the surrounding neighborhood, proposing a peak height, 32 feet, that is nearly 4 times higher than surrounding neighborhood homes. Baer Statement at 2.

Despite the fact that the Project's Initial Study adopts a negative declaration, claiming that Project "could not" have a significant effect on the environment and does not require *any mitigation measures*, Initial Study at 4, the Initial Study adopts *non-enforceable* mitigation measures to mitigate

potential glare that could come from the Project. The Initial Study notes that glare from the building will be mitigated by a permit condition prohibiting "reflective, glossy, polished, and / or roll formed type metal siding and roofing."

5. The Project Will Have A Significant Impact On Water Quality, Hydrology, and Biological Resources.

The Project will have a substantial impact on hydrology, water quality, and biological resources. The Project proposes to divert a drainage ditch that drains water from the surrounding neighborhood. The drainage ditch flows into a stream at the bottom of the canyon, into the Arroyo Seco river, a tributary to the Los Angeles River, a federally designated Waters Of The United States. Initial Study at 25.

The Project's Inital Study claims that the Project will not cause water discharges into jurisdictional areas. Initial Study at 12. However, the Project's Initial Study later admits that the Project will cause a discharge into a Water of the United States, stating that the Project "is required to comply with the water quality requirements imposed by the Los Angeles Regional Water Quality Control Board . . . [as well as] National Pollutant Discharge Elimination System." Initial Study at 24 – 25. Moreover, the Initial Study notes that the Project will "alter the existing drainage pattern of the site and will increase the amount of surface runoff . . . ." Initial Study at 25.

6. The Project's Initial Study Is Internally Contradictory Conceding That The Project Will Have Significant Environmental Impacts Without Mitigation.

The Project's Initial Study adopts a negative declaration, claiming that Project "could not" have a significant effect on the environment and does not require *any mitigation measures*. Initial Study at 4. This is despite the Initial Study adopting numerous mitigation measures for aesthetics, biological resources, and water quality / hydrology.

II. THE PROJECT VIOLATES THE ALTADENA COMMUNITY STANDARDS.

The Project is subject to and violates the hillside management provisions under the Altadena Community Standards. County Code § 22.44.127.C.2.b. The Project Site is subject to the hillside management provisions as it is a hillside management area. Section 22.08.080 of the County Code defines a "Hillside Management Area as "any portion of a lot or parcel of land which contains terrain with a natural slope gradient of 25 percent or steeper." The Project is built upon a parcel with a natural slope of 100 percent. Baer Statement at 2

Applications for a minor conditional use permit in a hillside management area subject to conditional use permit and significant ecological area requirements. Co. Code § 22.47.127.C.2.b.ii.

The Project fails to meet the burden of proof required for conditional use permits. Section 22.56.090.A.2.b requires that the Project's use will not "[b]e materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site." The Project

will significantly undermine the use, enjoyment, and valuation of property of other persons as the Project will block scenic views from Canyon Crest Road and for surrounding neighbors.

Moreover, the Project fails to meet the burden of proof required for permits issued in significant ecological areas. Section 22.56.215.E of the County Code requires that applicants demonstrate that proposed projects be "highly compatible with the biotic resources present," "maintain water bodies, watercourses, and their tributaries," and that "wildlife movement corridors (migratory paths) are left in an undisturbed and natural state." The Project fails to meet any of these burdens as it will have significant impacts on biological resources, water quality, hydrology, and wildlife movement. *Supra.*

III. THE PROJECT VIOLATES THE COUNTY OAK TREE ORDINANCE.

The Project application does not adequately address burdens of proof imposed by the County's Oak Tree Ordinance. Co. Code 22.56.2050 *et seq.*

The Project does not show how the Project will not endanger the health of the remaining trees on the Project Site. Co. Code § 22.56.2100.A.1. Ms. Latta, a certified arborist, notes that the Project will likely require the removal of 3 to 4 trees that are subject to the County's Oak Tree Ordinance. Latta Letter at 2. Moreover, the Project's sewer and water line construction are likely to negatively impacts seven trees on the property and falls within the protected zone of a number of other trees on the Project Site. *Id.*

The Project's removal and relocation of oak trees and a drainage ditch will result in soil erosion through the diversion of increased flow of surface waters. Co. Code 22.56.2100.A.3. The Project's Initial Study concedes that the Project will increase the amount of surface runoff. Initial Study at 25. The Project application does not address how the Project will mitigate for soil erosion. As Ms. Latta notes:

> How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage. Also the slope is full of large boulders that will require removal to construct the proposed pilings and could roll onto the trees and stream below. Latta Letter at 3.

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IV. CONCLUSION

For the aforementioned reason, CCC urges the County to reject the Project application. CCC is only in the initial stages of reviewing the Project and reserves the right to supplement its comments.

Sincerely,

Mitchell M. Tsai
Attorneys For Canyon Crest Conservancy

EXHIBIT A

Mitchell Tsai <mitch@mitchtsailaw.com>

: Project No. R2014-02411-(5) / Minor Conditional Use Permit 20140000 / Environmental Assessment 201400194 / Oak Tree Permit No. 201400035k

MaryEllen Schoeman <maryellenks@gmail.com> Wed, Mar 16, 2016 at 6:18 PM
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Bcc: mitch@mitchtsailaw.com

In reviewing the findings for this case I find the conclusions on the Environmental Checklist form to be questionable, possibly due to the limited time and depth of the study upon which they were based. As a wildlife rescuer with a long history in the area and a current graduate student in Conservation Biology, I am concerned that some key issues may have been overlooked in this review.

I find the following decisions questionable:

Section 2.d)
California Public Resources Code section 12220(g) defines forest land as
land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits."

This lot does contain more than 10% native tree cover, and is an important reservoir of fish, wildlife, and biodiversity.

Number 4.(a) "Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?"

The proposed development is inhabited by the endangered Arroyo Toad, and is the home range of mountain lion, which are protected as a special species under California law. Photos of these animals, taken in the area, are attached. (The photo labeled "mountain lion 2" was taken only a short distance up the street from the proposed development.) I am told that the site survey found no evidence of protected or endangered animals. I suggest that if endangered animals could be located in a single site visit, they would most likely not be considered endangered.

4 (b) "Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?"

While the proposed development is not in a designated natural corridor, it is and has been in extensive use by native wildlife for many years. The species found in the area (photos attached) include mountain lions, bears, foxes, bobcats, deer, and a host of smaller native mammals such as opossums, raccoons, skunks, and three species of squirrel. These animals all utilize the open space as a spot to safely traverse the road, and they all to some extent depend on the oak trees. Bears, raccoons, deer and squirrels all eat acorns, and the carnivores eat the animals that eat the acorns. The photo of the bear shows something that will become all the more common as we remove open spaces and oak trees - bears getting into trash.

I believe that the impact on the oak woodland has been underestimated. While it is true that only one oak tree will be removed, the developer has stated that at least one third (33%) of the remaining oak canopy will be removed from the remaining trees. As there are around 20 mature oak trees on the lot, this is the equivalent of removing 6 mature trees from the immediate area. The importance of mature oak woodlands to our ecosystem cannot be underestimated, and the planting of two oak saplings will not mitigate the removal of such a large part of the canopy.

—
MaryEllen Schoeman

Owner, Wild Things Pet Sitting
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We who choose to surround ourselves with lives ever more temporary than our own live within a fragile circle, easily and often breached. Yet still, we would choose to live no other way. - Irving Townsend

7 attachments

arroyo toad.jpg
74K

mountain lion.jpg
31K

bobcat.jpg
55K

deer.jpg
117K

fox.jpg
164K

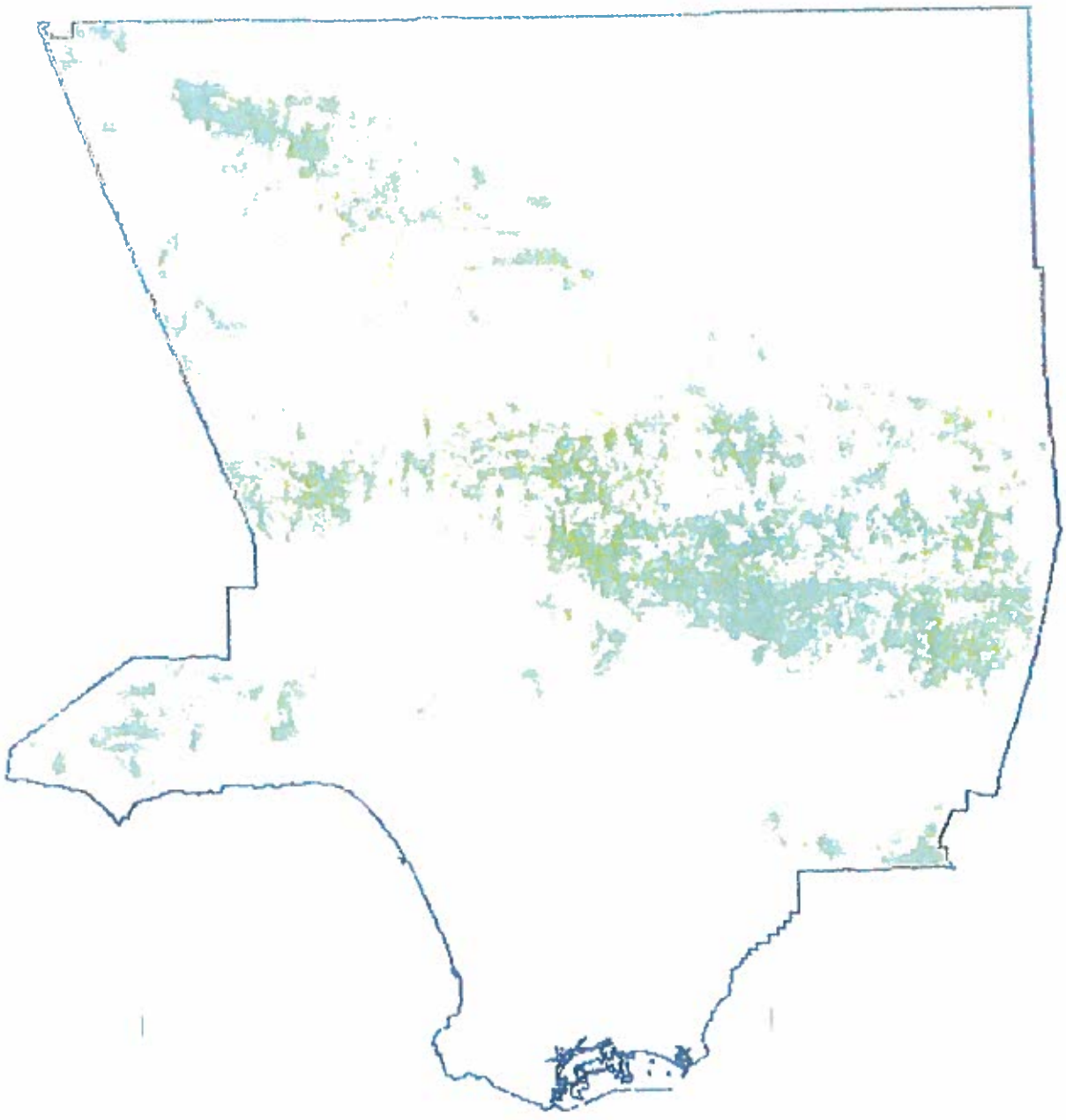
mountain lion2.jpg
94K

bear1.jpg
60K

EXHIBIT B

LOS ANGELES COUNTY

OAK WOODLANDS CONSERVATION MANAGEMENT PLAN GUIDE



March 18, 2014

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BACKGROUND

On October 7, 2001, the Governor approved the California Oak Woodlands Conservation Act (AB 242) which requires that Los Angeles County (County) develop an Oak Woodlands Conservation Management Plan (Plan) to qualify for funding to preserve oak woodlands through the State of California's Oak Woodlands Conservation Fund (Fund). Accordingly, the County Board of Supervisors adopted Motion 95-C on October 7, 2008, which directed the Resource Conservation District of the Santa Monica Mountains (RCD) to develop such a plan. The RCD assembled a group known as the Oak Woodlands Habitat Conservation Strategic Alliance (Alliance), consisting of biologists, arborists, environmentalists, foresters, planners, Building Industry Association representatives and academics. The Alliance completed the Plan in May 2011 and the Board of Supervisors adopted Part 1 of the Plan on August 23, 2011.

As of January 2005, California Public Resources Code Section 21083.4 (2004 Senate Bill 1334) requires that when a county is determining the applicability of the California Environmental Quality Act to a project, it must determine whether that project "may result in a conversion of oak woodlands that will have a significant effect on the environment." If such effects (either individual impacts or cumulative) are identified, the law requires that they be mitigated. Acceptable mitigation measures include, but are not limited to, conservation of other oak woodlands through the use of conservation easements and planting replacement trees, which must be maintained for seven years. One notable exemption to this law is for the "conversion of oak woodlands on agricultural land that includes land that is used to produce or process plant and animal products for commercial purposes."

INTRODUCTION

The main goal of the Plan is to preserve and restore oak woodlands so they are conserved in perpetuity with no net loss of existing woodlands. There are three important objectives of the Plan: prioritize the preservation of oak woodlands, promote conservation by integrating oak woodlands into the development process in a sustainable manner and effectively mitigate the loss of oak woodlands. The Plan implements these objectives through a series of recommendations that are grouped in the following categories:

Alterations to the County's development and environmental review process;
Revisions to the process by which County agencies address impacts to oak woodlands;
Expansion of goals and policies contained in the County's General Plan:
Changes to the County Zoning Code; and

Long range implementation and monitoring efforts.

This guide focuses on the first two categories of recommendations and does not include revisions to Title 22 or a new permit type. The main changes to the existing permit and environmental assessment processes are in the form of a revised Environmental Assessment Questionnaire, additional site plan requirements, a required oak woodland report, prioritized mitigation measures and improved mitigation monitoring. This document is intended to implement portions of the Plan and to be a resource to assist County staff when processing development applications for discretionary projects that are not exempt from CEQA and that may impact oak woodlands. The guide is organized into the following four sections: definitions, application procedures, case processing, project mitigation and mitigation monitoring.

DEFINITIONS

Oak tree is defined by the plan as "*all native trees of the genus Quercus. This includes small shrubby oaks typically clustered on slopes, as well as individual large oaks that are naturally widely distributed across the landscape. Under California state law, oaks [that are part of a woodland] greater than 5 inch diameters at breast height (DBH) are also protected* (California Public Resources Code 21083.4a)." (Plan page 28)

Oak stand is defined by the plan as "*a group of similar [oak] trees growing in a contiguous pattern, having sufficiently diverse age-class distribution, composition and structure, and growing on a site of sufficiently uniform quality that it is distinguishable as a unit. Stands are a basic physical unit of vegetation in the landscape and do not have a set size.*" (Plan page 29)

Oak woodlands are defined by California Department of Fish and Wildlife Code Section 1361.h and by the Plan (page 28) as "*an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.*" This document interprets the Plan's definition of an oak woodland (pages 28-29) as an oak stand, including its understory, which consists of two or more oak trees of at least five inches in diameter measured at 4.5 feet above mean natural grade, with greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover as early as January 1, 2005 (effective date of California Public Resources Code Section 21083.4). The following figures depict how the Plan (pages 49-50) identifies oak woodlands and calculates relative canopy cover.

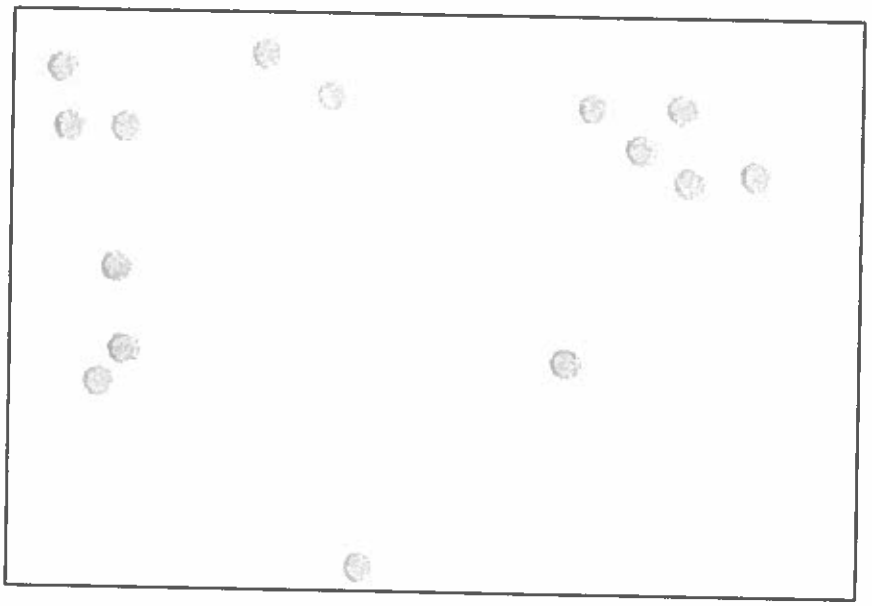
Oak Savanna is lightly wooded grassland, with oaks as the dominant tree species. The canopy cover of an oak savanna may often be less than 10 percent and therefore oak savannas are not necessarily subject to California Public Resources Code Section 21083.4. Nevertheless, some types of oak savanna are considered sensitive by the California Department of Fish and Wildlife (CDFW), and these are given consideration as sensitive natural communities under CEQA (see the CDFW Natural Communities List and CEQA Guidelines Appendix G).

OAK WOODLAND VS OAK TREE PROTECTION

The Oak Tree Ordinance (Section 22.56.2050 of the Los Angeles County Code) is intended to protect individual trees while the Plan and State law referenced in this document are intended to protect oak woodlands. A project may be subject to both the Ordinance and Plan requirements. See applicability matrix on the following page.

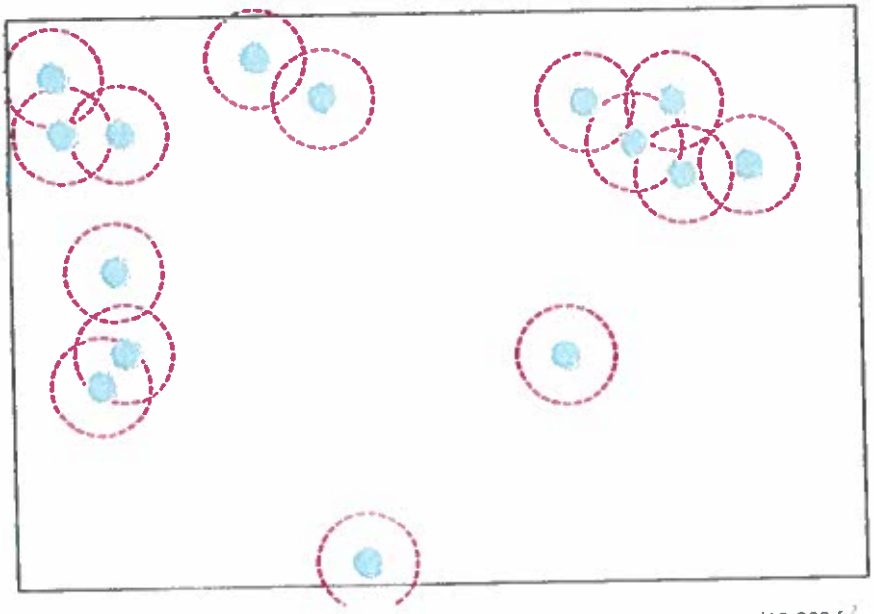
Criteria	Plan	Ordinance
Number of Removed or Encroached Trees:	Two or more.	At least one.
Tree Size:	At least five inches in diameter.	At least 8 inches in diameter.
Sphere of Influence /Encroachment Zone:	Ten times the canopy area.	Five feet from the drip-line or 15 feet from the trunk, whichever is greater.

Figure 1



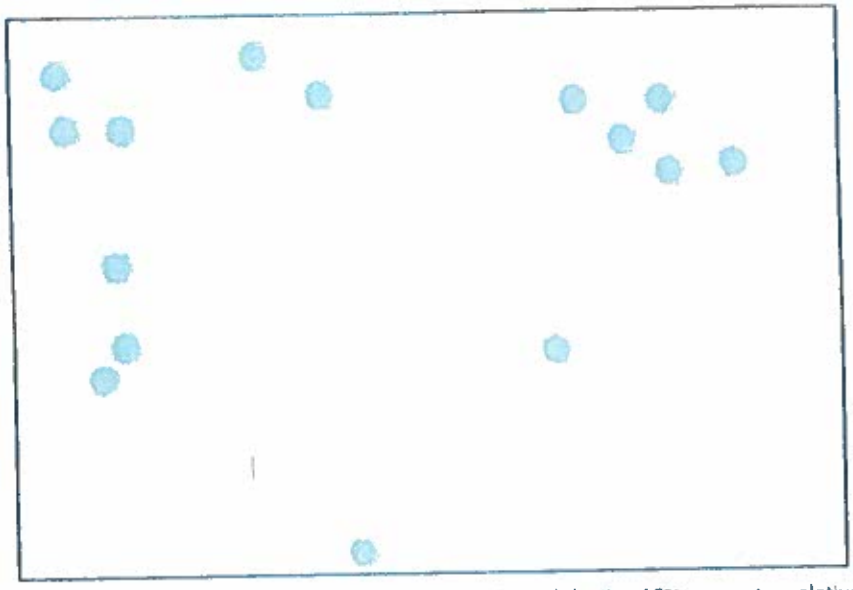
Green circles represent oak trees. Each has a canopy area = 1,000 ft^2 (radius approximately 18 ft.)

Figure 2



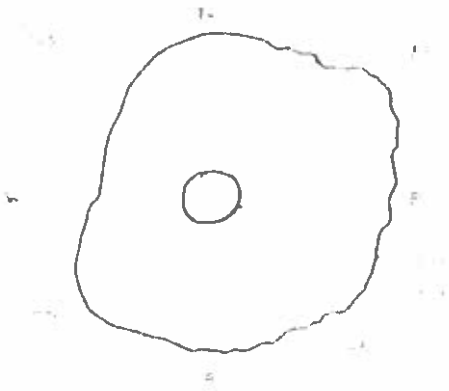
Red circles are 10 times larger (i.e. radius is ~3.2 times larger) than the canopy area (10,000 ft², radius approximately 56 ft.) and represent the area of which the oak tree occupies 10%.

Figure 3



Where 10X areas overlap, these are stands of oak trees, each having 10% or greater relative cover of oak tree canopy (**WOODLAND**). Where there is no overlap, these are isolated trees (**NOT WOODLAND**).

Figure 4

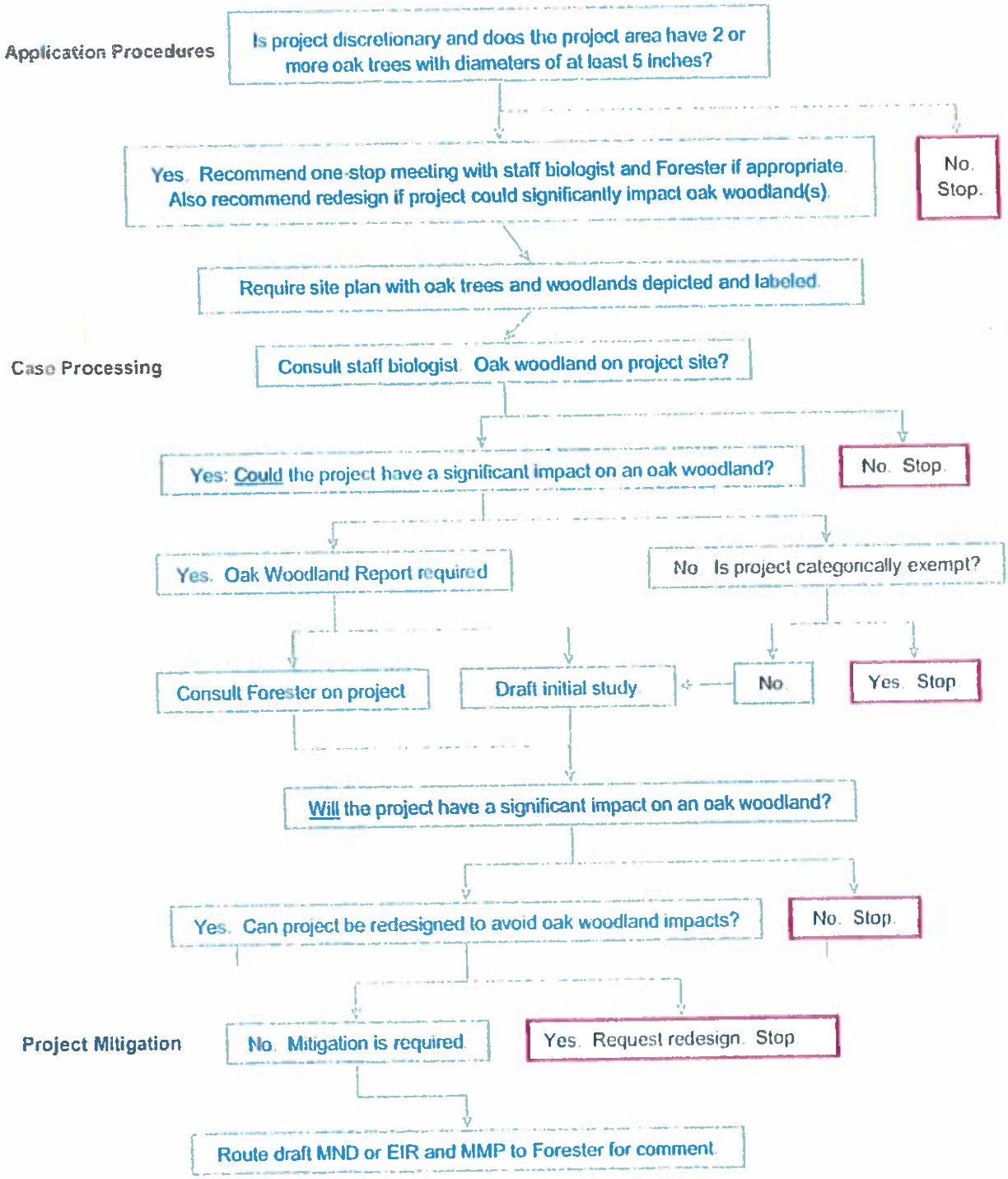


How to measure canopy

1. Take 8 measurements from the center of the trunk one in each direction as shown on drawing. Trunks should be located accurately using GPS. Accuracy should be high. Reconcile trunk locations with aerial photographs.
2. Draw canopy as shown. Trunk should also be shown at actual size (to scale).
3. When canopies overlap, show the canopy underneath as a dashed or lighter line.
4. Draw canopies using a dark or thicker line so that they can be seen easily on the drawings.
5. The scale of drawing should be 1":20' or 1":30' to give enough detail.
6. Accurate tree canopy and trunk locations should be overlaid on site and construction drawings.

PROCESS OVERVIEW

Note. This chart is a summary. For details, see relevant sections of the guide, to which this page is ***hyperlinked****. Use the Document Map to return.*



APPLICATION PROCEDURES

In order to expedite the review process and avoid mitigation, staff should communicate to the applicant as early as possible that avoidance of impacts to oak woodlands is the preferred alternative project option. If determined appropriate, Staff should recommend a pre-application counseling meeting (One-stop) that includes the staff biologist and County Forester.

In addition to other required application materials, the applicant shall submit the following items:

A completed Environmental Assessment Information Form which will require the following information: disturbance history of the project site (such as fires or grazing), number of trees and their location on the site, whether any trees have been removed or pruned since January 1, 2005, and whether the area within the 10 percent sphere of influence of the canopy is developed.

A site plan that includes:

- Oak trees with a diameter of five or more inches (measured four and one half feet above mean natural grade) depicted, trunk diameters labeled, and ten times the canopy area of each oak tree depicted and labeled and;
- Oak trees with a trunk diameter of eight inches or greater shall have the 5-foot radius outside of all tree drip lines depicted and labeled.

Include off-site oak trees located within 200 feet of the property boundary. If a tree has multiple trunks, label the diameter of the largest trunk.

CASE PROCESSING

Determination

1. For any discretionary project with two or more oak trees on site, the case planner should consult with the staff biologist to determine if the project is located in an oak woodland and may impact the woodland. Consultation would typically occur after the case has been assigned to a planner but it could also take place earlier in the process. The staff biologist should be consulted even on projects that may initially be considered categorically exempt from CEQA because if there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, a categorical exemption may not be used according to State of California Public Resources Code Section 15300.2.c. If the staff biologist determines that an oak woodland is located on the project site, the staff biologist will likely recommend that the case planner request a oak woodland report (OWR) from the applicant. The OWR must be completed by an "individual with expertise acceptable to the director and the County Forester," be certified to be true and correct and include:

   A description of the baseline condition of the oak woodland, including the species of oak trees present, the density of trees (number/acre), a demographic assessment of the trees (e.g. size or age range and the proportion of trees in young, mature, and declining classes), the vegetation type of the understory (e.g. scrub, grass/herb, barren, ornamental, etc.), the presence or potential use of the site by special-status species, and the spatial relationship to other woodland stands in the vicinity (e.g., immediately adjacent and fully integrated, isolated by urban development, etc.);

   A determination of the habitat value/integrity of the woodland (See Table 1);

   An analysis of impacts to the oak woodland and their severity (See Tables 2 and 3);

An analysis of recreational or aesthetic value of the woodland based on the presence of trails, location within a viewshed visible from parks or scenic highways, etc; and

An analysis of alternative project options that includes an explanation of why avoidance of the oak woodland was not feasible.

Impact of introduced pests and disease on the oak woodland.

A summary of ecosystem services provided by oak woodlands as described by the Plan and how those services may change with development of the proposed project.

It is recommended that consultants writing an OWR report use the Plan as a resource. It has a wealth of information that is useful in the preparation of an OWR.

Project Consultation

2. The case planner will consult with the County Forester on the project by routing relevant application materials that include the OWR, site plan, and environmental questionnaire to the County Forester for review.
3. The County Forester, upon receiving the consultation request, will inspect the project site and oak trees, review the report and site plan for adequacy and recommend project conditions.

Environmental Assessment

4. The case planner in conjunction with the staff biologist will answer the following initial study (IS) questions in the Biological Resources and Mandatory Findings of Significance sections that pertain to project and cumulative impacts to oak woodlands:

IS Question 4.b: Does the proposed project have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?

This question relates to natural communities listed as sensitive by the CDFW, and does not necessarily extend to all oak woodland types as identified by Section 21083. To answer this question, consult the staff biologist and the 2010 CDFW Natural Communities List, available at http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_list.asp. The list provides sensitivity rankings for all named community types; other types may also be considered sensitive (as indicated by an asterisk) or may not yet be inventoried.

IS Question 4.e: Will the project convert oak woodlands…or otherwise contain oak or other unique native trees?

To answer this question, provide a baseline description of oak woodlands that fits this definition found on the site, including the following information: the species and density (number/acre) of oak trees present; demographic assessment of the trees (e.g. size or age range and the proportion of trees in young, mature, and declining classes); vegetation type of the understory (e.g. scrub, grass/herb, barren, ornamental, etc.); presence or potential use of the site by special-status species; and the spatial relationship to other woodland stands in the vicinity (e.g., immediately adjacent and fully integrated, isolated by urban development, etc.). Additionally, assess whether the project will exceed the threshold for significance for impacts to oak woodlands. Use Table 1 to establish the baseline, then

Tables 2 to determine impact severity and finally Table 3 to determine level of significance.

Table I – Existing Conditions

Woodland Integrity:	Intact	Moderately Degraded	Severely Degraded
Existing Conditions:	Site is currently in a "wild" state where all ecological functions such as groundwater infiltration, shade, habitat, nutrient cycling, carbon sequestration, wind/noise/dust abatement, and the stand is self-sustaining and regenerating. Understory of grasslands may be dominated by invasive exotic grasses and forbs. Fire exclusion or frequency may have altered native woodland. Woodland supports associated flora and fauna and are free from destructive land practices that limit long-term persistence.	Even though the site has been altered, oak woodlands persist and retain some of their functions. Natural regeneration is possible, wildlife use still occurs, and some level of ecosystem services is still present. The majority of oak woodlands in the County fall within this category.	Site has been drastically altered from the natural condition to accommodate residential, commercial or industrial uses, and oak woodlands remain in scattered locations. Natural regeneration is not possible. Soil is compacted, contaminated or paved. Wildlife habitat is limited and associated understory vegetation has been replaced by managed non- native landscaping.
Examples:		Golf courses intermixed with fragmented oak woodlands, many of the subdivisions and urban wild land interface areas found in the Santa Monica Mountains, Santa Clarita Valley, along the foothills of the San Gabriel Mountains and throughout the Puente Hills.	Small clusters of oaks within or surrounding parking lots, isolated small stands in parks or open spaces surrounded by urban development, or woodlands remaining along freeway corridors.
Recommendation:	Projects that would alter the oak woodland should receive the highest level of scrutiny. Project alternatives that would avoid this alteration should be fully explored and given first consideration.	Project needs to be reviewed within the context of preventing further ecosystem function losses. This could include reduction of project scale, adjusting project footprint to reduce impacts, identifying opportunities to preserve connectivity, increase groundwater retention, and restore habitat.	Site should be reviewed within the context of adjacency to other oak woodland stands, potential for restoration and the potential to restore connectivity and ecosystem functions. A Severely Degraded site may be a good choice for a mitigation area that could be restored.

Table 2 – Impact Severity

Impact Severity	Intact Woodland	Moderately Degraded Woodland	Severely Degraded Woodland
Low:	Minimal disturbance to stand structure and composition and habitat features resulting in no increased edge habitat or fragmentation; road and stream crossings are not being considered; activities will not result in the introduction of exotic or invasive species. Minimal site or spatial disturbance may still result in significant impacts to an intact or core woodland.	Regeneration potential is being maintained across the site; understory oak associates present or can be restored; expansion of developed areas are centralized; new road and stream crossings not being considered. In the absence of special circumstances, statutes or ordinances, this may represent a non-significant impact.	Majority of remnant trees are retained; understory removal or road widening does not compromise existing tree health; no further loss of ecosystem services considered. In the absence of special circumstances, statutes or ordinances, this may represent a non-significant impact.
Moderate:	Detectible change or reduction in canopy, structure or composition; loss of some habitat features, subtle impacts increasing fragmentation, edge creation or loss of connectivity (fences, roads, other artificial barriers or buffers).	Regeneration potential is being marginalized; developed areas expand into previously undeveloped areas; new roads or stream crossings proposed; habitat features are being lost; activities will add exotic an invasive species.	Loss of a majority of existing trees; activities will inhibit or harm residual tree health and vigor; barriers constructed will increase fragmentation; ecosystem services will be lost or degraded.
	These impacts are considered significant.		
High:	Obvious change or reduction or loss of canopy, structure or composition; loss of existing habitat features; fragmentation and parcelization of contiguous ownerships; introduced roads, stream crossings and/or exotic invasive species; creation of edge effects; construction of barriers (fences, roads, etc.).	Large scale impacts including loss of habitat, understory, resulting in fragmentation and increased edge effects; Loss of woodland structure and changes in composition in large continuous woodland patch.	Loss of remnant trees or stand increases fragmentation across the landscape through loss of connectivity.
	These impacts are considered significant.		

Table 3 – Estimated Level of Significance

Woodland Integrity:	Intact			Moderately Degraded			Severely Degraded		
Impact Severity:	Low	Mod	High	Low	Mod	High	Low	Mod	High
Impact	Level of Significance "LTS"= Less Than Significant; "PS" =Potentially Significant; "S" = Significant								
Net loss of oak woodland acreage.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Increased habitat fragmentation.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of vertical and horizontal structural complexity.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of understory species diversity, locally uncommon or rare species or associations.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of food sources for wildlife	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of nesting, denning, burrowing, hibernating and roosting structures.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of habitats and refugia for sedentary species and those with special habitat requirements, *i.e.* mosses, lichens, rocks, native grasses and fungi.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Road construction, grading, trenching, activities affecting changes in grade, other road-related impacts.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Stream crossings, culverts, and road associated erosion and sediment inputs.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of riparian function, reduced bank stability and increasing sedimentation or water temperature that impacts native fishes and other aquatic species.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Road building activities that aggravate existing conditions	PS	S	S	LTS	LTS	S	LTS	LTS	LTS
Changes in environmental conditions that prevent existing residual trees from natural regeneration.	PS	S	S	LTS	LTS	S	LTS	LTS	LTS
Proposed project designs that result in construction that poses barriers to wildlife or fish passage.	PS	S	S	LTS	S	S	LTS	LTS	LTS
Proposed project designs that result in the probable introduction or expansion of invasive plants and animals	PS	S	S	LTS	S	S	LTS	LTS	LTS
Loss of individual heritage trees that are recognized and/or protected by ordinance or statutes.	PS	S	S	LTS	S	S	LTS	S	S
Loss of appropriate recruitment sites for recognized and/or protected heritage tree species.	PS	S	S	LTS	S	S	LTS	S	S

Woodland Integrity:	Intact			Moderately Degraded			Severely Degraded		
Impact Severity:	**Low**	**Mod**	**High**	**Low**	**Mod**	**High**	**Low**	**Mod**	**High**
Impact	**Level of Significance** "LTS"= Less Than Significant; "PS" =Potentially Significant; "S" = Significant								
Loss of individual trees where the natural occurrence and range of the species has been dramatically reduced and altered resulting in decreased recruitment/restoration potential for the species.	PS	S	S	LTS	S	S	LTS	S	S
The removal of even a few individual trees that represents a significant portion of the existing population of that species.	PS	S	S	LTS	S	S	LTS	S	S
Loss of ecosystem services such as groundwater recharge, erosion protection, water quality protection, temperature moderation.	PS	S	S	LTS	S	S	LTS	S	S
Changes to carbon sequestration potential.	PS	S	S	LTS	S	S	LTS	S	S
Loss of view-shed, aesthetics, amenity value, public recreation opportunities, historic or cultural resources.	PS	S	S	LTS	S	S	LTS	S	S

Note: The High Impact Severity column is based on Table 6 of the OWCMP on page 72. The Low and Moderate Impact Severity columns are estimates.

Environmental Assessment (continued)

When answering the aforementioned initial study questions for Advance Planning (AP) or Ordinance Studies (OS) projects, special consideration needs to be given to those projects that create or change existing permitted uses that may impact oak woodlands because permitted uses would not receive project specific environmental assessment. Therefore, any impacts to woodlands and related mitigation would need to be addressed through the AP/OS project environmental assessment.

5. The case planner will route the draft initial study to the County Forester for review and comment.

PROJECT MITIGATION

If a project cannot be redesigned to avoid impacts to oak woodlands, the case planner should work with the staff biologist and the County Forester to determine an appropriate mitigation strategy. Recommended mitigation measures for projects resulting in a significant impact to oak woodlands are identified below and are based on the Plan's recommendations on pages 92-96. The mitigation measures are prioritized by preference for intact woodlands. Per the Staff biologist, prioritization of mitigation measures may not be appropriate for degraded oak woodlands. If avoidance is not possible, then one of the following shall be implemented:

1. Acquire oak woodland habitat that is comparable to the habitat that was impacted.

2. Restore degraded oak woodlands: Off-site restoration should be prioritized over on-site restoration and where feasible, should be located nearby the impacted property, preferably within the same watershed or sub-drainage as deemed appropriate by the County Forester and the staff biologist, or within the same planning area as the impacted property.

   Off-site restoration may include any of the following:

   Acquiring off-site fee title for oak woodland habitat;

   Replacement planting.

   Restoring moderately or severely degraded oak woodlands. More specifically, removing exotics and restoring appropriate native plant diversity

   On-site restoration should be utilized when circumstances at the site allow for long-term sustainability of the replacement plantings, the potential to expand/connect to adjacent oak woodlands, and/or the improvement of degraded oak woodlands. The permittee shall replace/restore lost canopy area. More specifically, the permittee shall provide mitigation trees of the same Oak species. All replacement trees should be planted on native undisturbed soil and should be the same species of oak (*Quercus sp.*) as the removed tree with appropriate associated native vegetation in the understory. The location of the replacement tree should be in the vicinity of other oak trees of the same species. If replacement trees cannot be planted on native undisturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, the County Forester may require additional conditions to ensure that trees thrive.

3. Contributing to LA County's Oak Forests Special Fund at a minimum two to one canopy cover area for the amount removed.

4. Other mitigation measures developed by the County.

The following provisions apply to the aforementioned mitigation options:

To ensure that mitigation measures are implemented, the County Forester may require the project applicant post a bond in the amount determined by the County Forester.

If possible, on site mitigation areas or off site mitigation land should be located adjacent to preserved natural open space unless there are reasons that outweigh this priority (like contributing to a linkage or preserving a specific location with special status species on the mitigation site). The location on site mitigation areas or off site mitigation land requires County Forester and staff biologist approval.

Mitigation areas or land should be at a minimum of two to one canopy cover area for the amount removed. This is the expected canopy extent of mature trees. A more convenient way to think of it might be to base it on stem density, then apply that density over twice the acreage of the impacted area.

All mitigation areas or land should be placed in a conservation easement. If a conservation easement is not possible, the land shall be protected in perpetuity by other means deemed acceptable by the County. Mitigation land may be designated public open space if appropriate.

In addition to mitigation for tree removal, the permittee shall prepare a plan to the satisfaction of the County Forester, for protecting remaining oak trees during and after development.

As part of Mitigation Monitoring Plan (MMP), the staff biologist may require a Habitat Mitigation Monitoring Plan (HMMP) that details the long term maintenance and monitoring plans for the mitigation site. The HMMP should be approved prior to issuance of a grading permit and include the following minimum requirements: description of the project/impact and mitigation sites, specific objectives, success criteria, plant palette, implementation plan, maintenance activities, monitoring plan and contingency measures. Finally, the case planner should route the MMP to the staff biologist and the County Forester for review.

MITIGATION MONITORING

Mitigation monitoring methods are based on the successful monitoring strategies recommended in the Plan on pages 96-98.

Project mitigation shall be monitored and reported on over a seven-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the County Forester and the Department of Regional Planning and should contain the following components:

Description of the project impact and mitigation site.

Specific objectives/success criteria, evaluated based on approved MMP survival rates and percent cover of planted native species, and control of invasive plant and animal species within the mitigation site. Success criteria should be based on a reference site supporting the desired oak species and understory that the mitigation site is designed to achieve.

Monitoring and maintenance activities conducted since the previous report.

Any contingency measures implemented since the previous report.

The County Forester will actively monitor the mitigation site for at least seven years following the implementation of the mitigation strategy.

Once the mitigation project has been completed, the applicant shall submit a final report to the County Forester and Department of Regional Planning. The report shall discuss the implementation, monitoring and management of the mitigation project over the seven-year period, and indicates whether the mitigation project has, in part, or in whole, been successful based on established success criteria. The project shall be extended if success criteria have not been met at the end of the seven-year period to the satisfaction of the County Forester.

The Department of Regional Planning will submit a bi-annual (every other year) report summarizing the status of oak woodland mitigation projects to the Board of Supervisors.

EXHIBIT C

Rebecca Latta Arboricultural Consulting
359 North Westridge Avenue, Glendora, CA 91741 (626) 272-8444
rlattaconsulting@gmail.com Certified Arborist #WE4264A

March 16, 2016

Kristina Kulczycki
Senior Regional Planning Assistant
LA County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena.

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

Dear Kristina,

As requested, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from J. Lopez dated December 3, 2014. I was surprised that the report did not include all the oak trees on the site and did not mention that property is a long lot that crosses a blue line stream and has Riparian oak woodland habitat. Additionally, I think it is important to note that at some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops.

Quick Summary:

- The property contains a significant ecological area and ***can be defined as an oak woodland.*** A Riparian woodland exists at the bottom of the canyon on the parcel. There are also important natural rock features impacted by the project.
    - Species include canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lots have sycamores and San Gabriel Mtns. Leather Oak.
- ***Fill soil laid down in the recent past should be removed on the flat pad by the oak trees.*** The actual size of the flat pad not covering tree roots may be much smaller than it is now. Even a small amount of fill soil can contribute to root death and tree decline.
- The impacts of the project are much greater than represented in the arborist report prepared by Land Design Consultants. The report does not quantify

impacts, only discusses distances from tree trunks. ***I estimate 3-4 trees or more may need to be removed to construct the proposed project.***

- ***Impacts to adjacent trees are not considered.***

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10, However, the foundation pilings and adjacent large boulder that may need to be removed are within the protected zone.
2. Sewer line and water line construction impacts are not mentioned in the oak tree report. ***Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.***
3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.
    a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?
    b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.
    c. Where will materials be stored where they are not within the protected zone of any oak trees?
    d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees?
    e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?
    f. The height of the proposed structure is over 31 feet, but the trees within the foot print of the structure are lower than 31feet. How does the building fit into the slope under the trees? **I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.**

g. **There is no mention of the required 5 feet of clearance required by the fire department for the structure.**

4. The report does not address any impacts to the heritage sized oak tree on the adjacent property to the south and additional trees over protected size directly below the building site. Although there are no heritage size trees around the proposed structures footprint, there are some within 200 feet of the project that could be impacted.
5. There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2 inches of fill soil can suffocate roots and cause root decay.
6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage. Also the slope is full of large boulders that will require removal to construct the proposed pilings and could roll onto the trees and stream below.

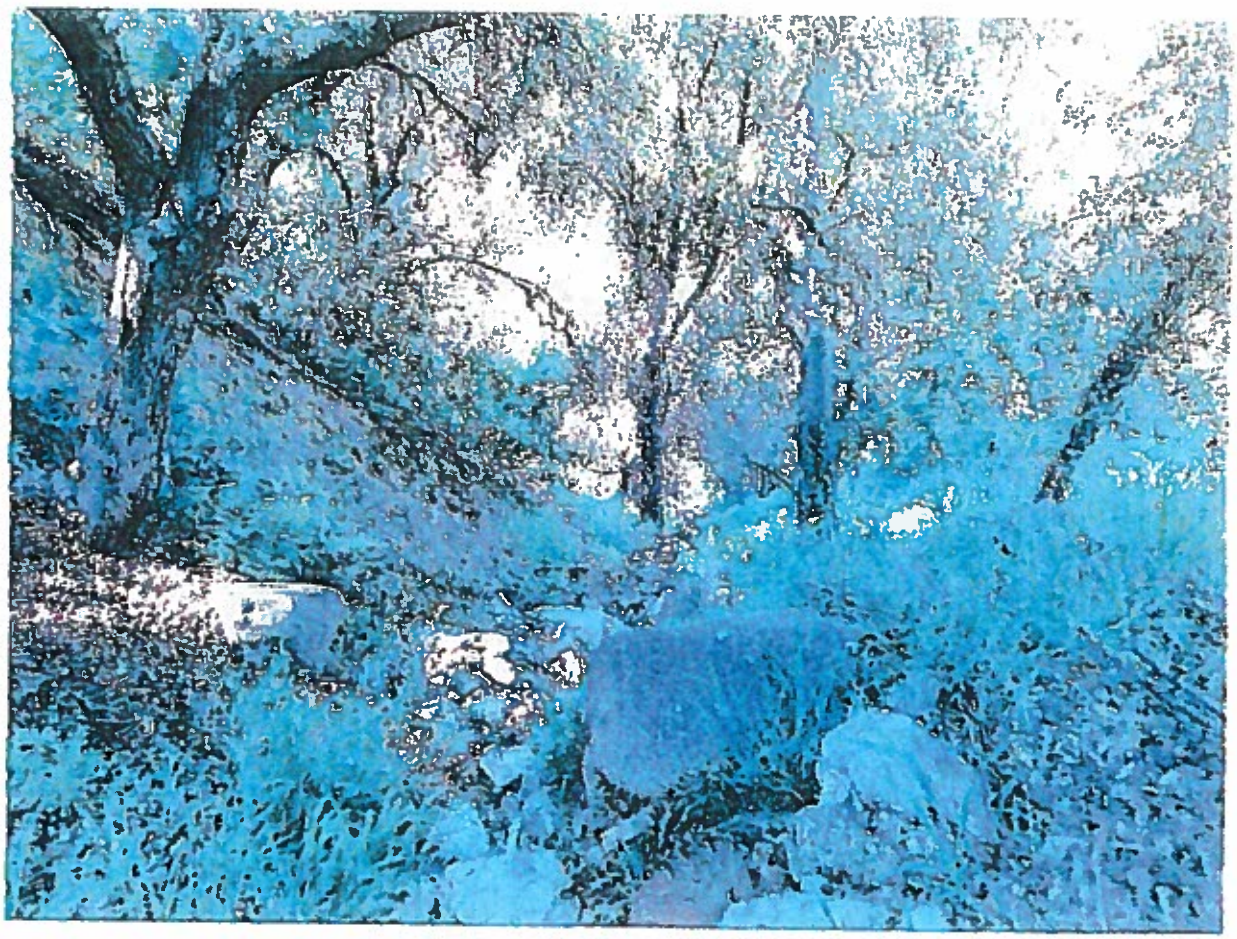


Photo from the bottom of the canyon on the adjacent property – Directly down slope of the project site..

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.
    a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.
    b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.
8. How much notching is a slight notching for the driveway? 2 inches? 3 feet?

9. If the driveway gets laid over the existing grade without removing soil, how will it not be several inches above grade? Vapor permeable driveways can still cause root damage and compaction. What percentage of the root zones will be impacted by the driveway.

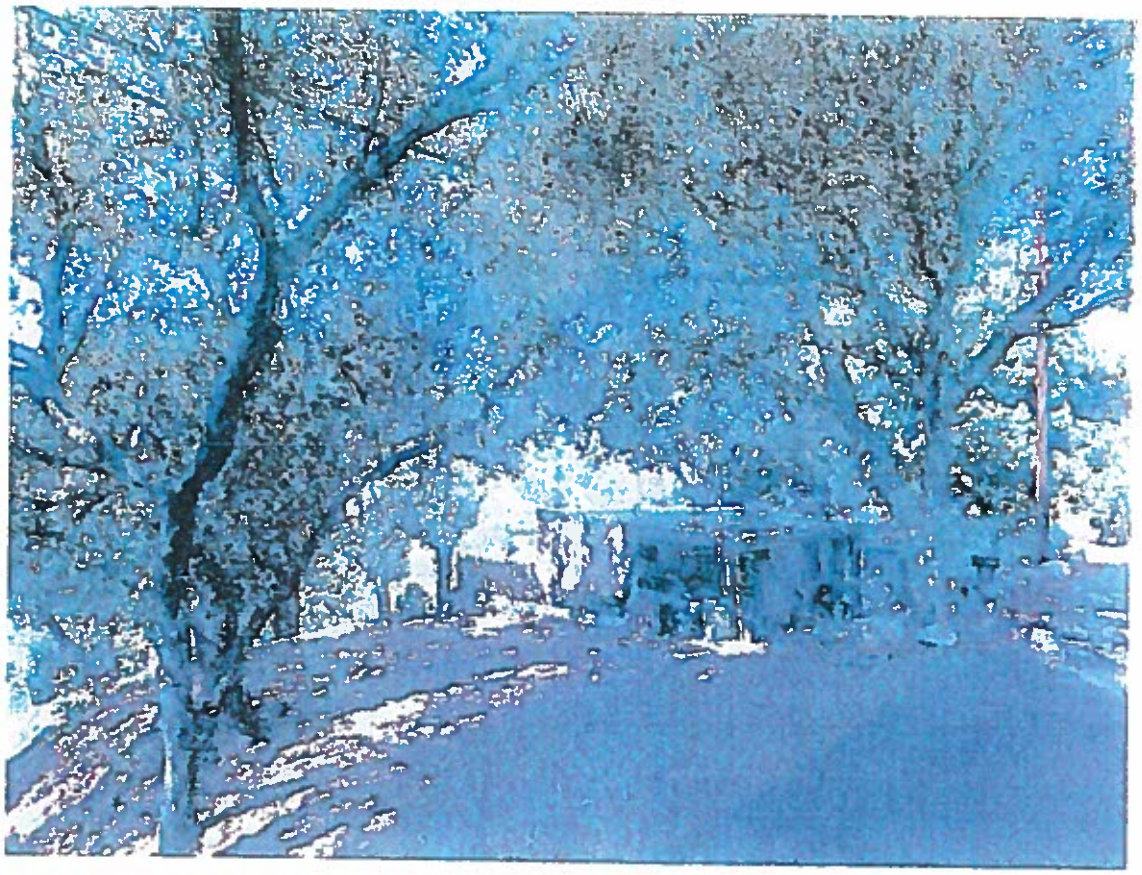
In my opinion, at least 3-4 trees will have to be removed to construct the project and several more will sustain significant impacts that could shorten their lifespans. The report lacks sufficient detail to determine the extent of certain project related impacts to the trees.

More importantly, this property is part of the visual corridor of native oak trees that lead to the Meadows. I spent the first 2 years of my time in California in the neighborhood. I believe this oak woodland habitat is rapidly disappearing and should be preserved.

Please let me know if you have any questions.
Sincerely,

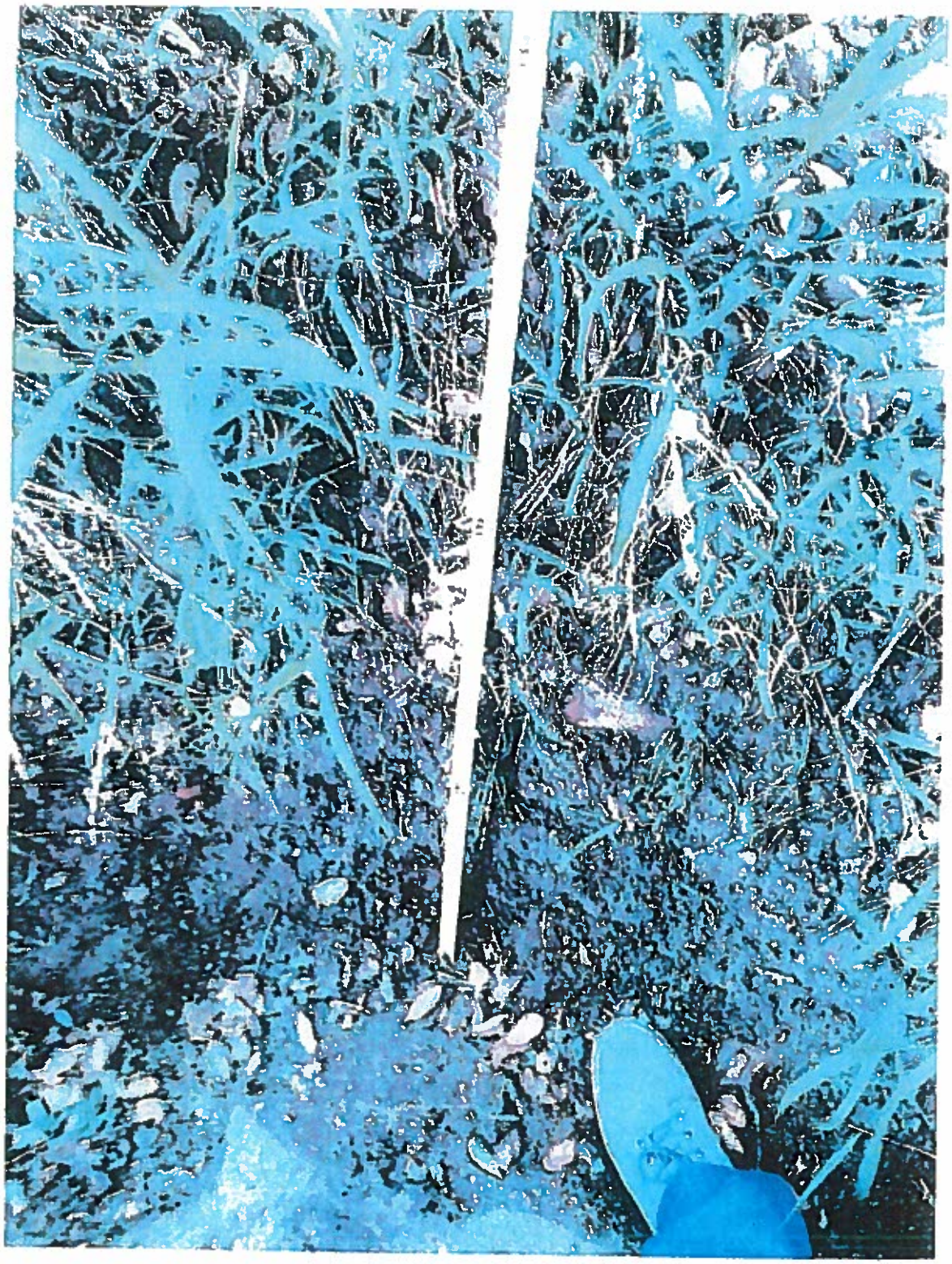
Rebecca Latta

Rebecca Latta
Consulting Arborist, Horticulturalist
626 272-8444 cell
rlattaconsulting@gmail.com
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists



Canopy covered flat pad where construction activity will occur

Drainage that leads to blue-line stream. Applicant plans to build house on top of drainage.



Measuring tape showing depth of fill soil on oak adjacent to flat pad.

Photo from the flat pad looking south toward the proposed building site.

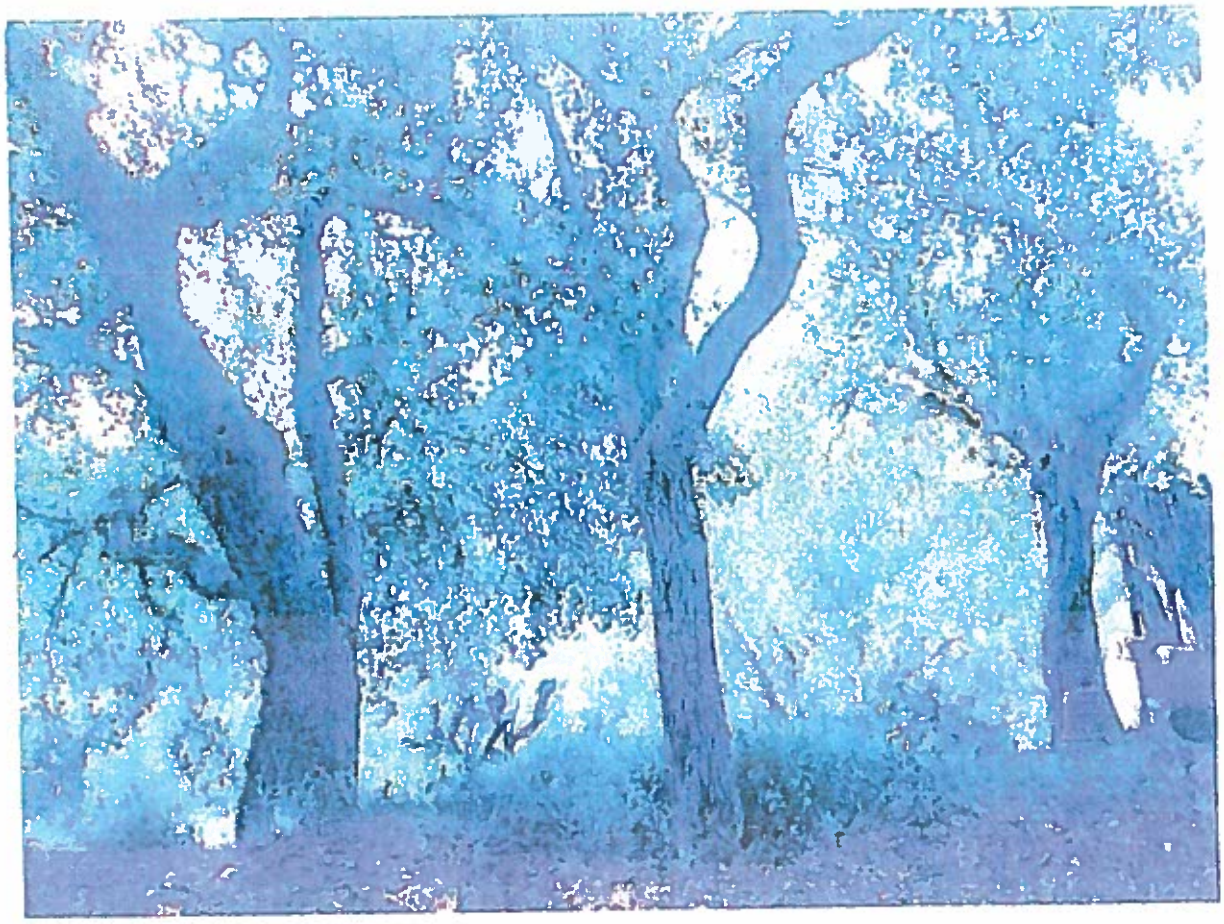


Photo looking west from the flat pad

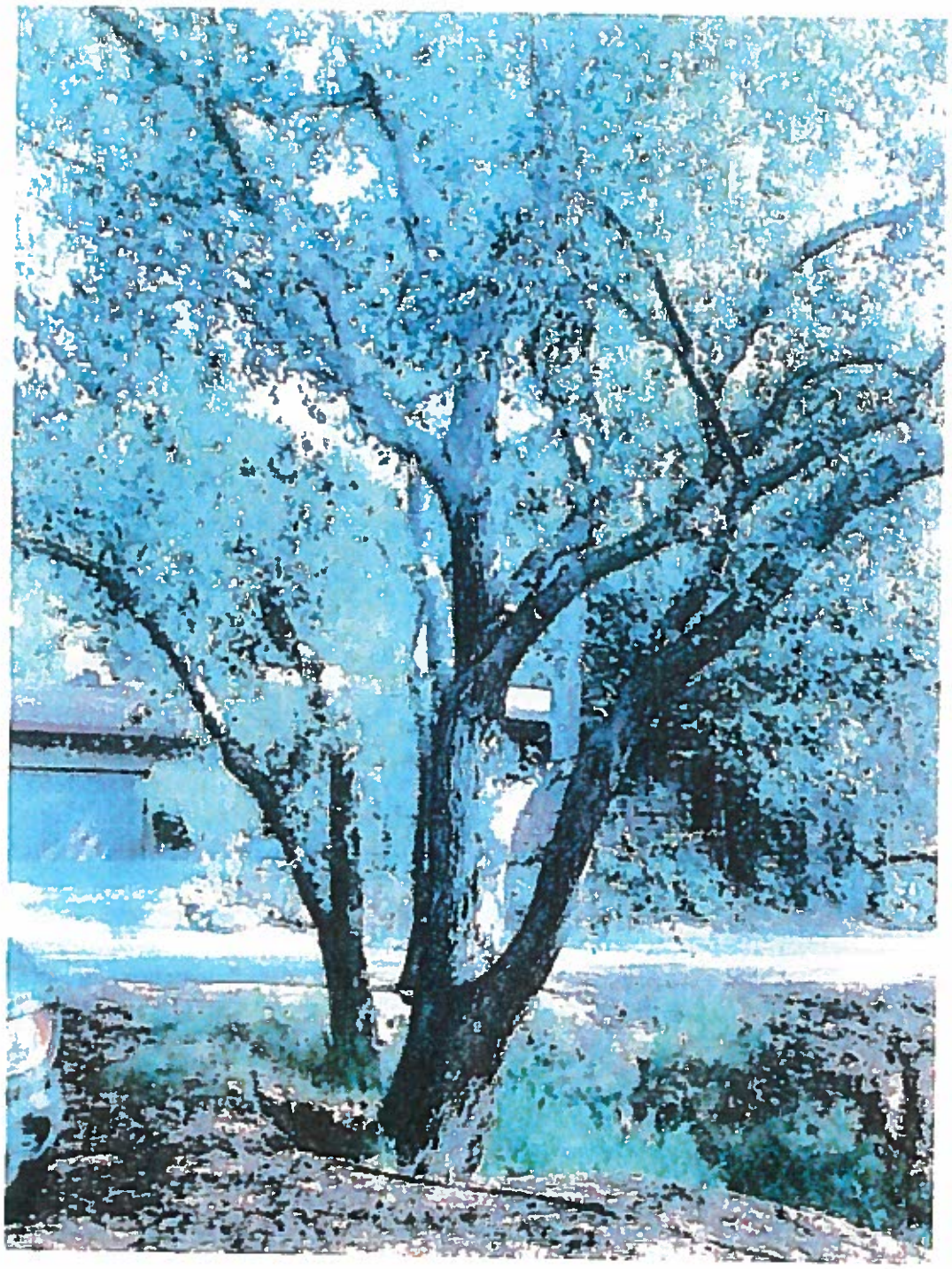


Photo looking east from the flat pad toward the street and the drainage

Fill soil on root zone

Large granite boulder that may need to be removed under the building site. (~58" x 58" x 140") ~50,000lbs

Granite rocks that may need to be removed

Drainage channel leading to canyon

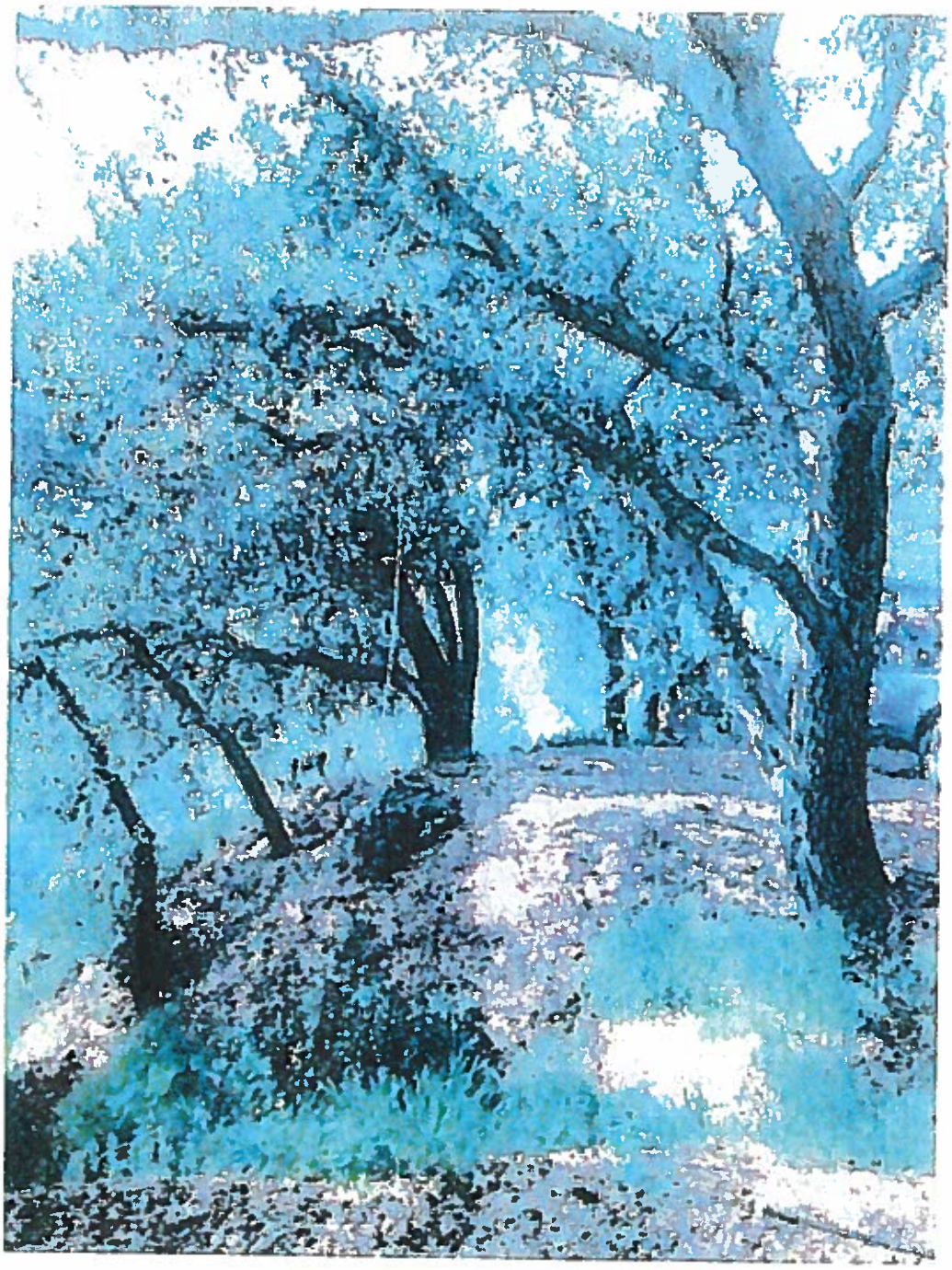


EXHIBIT D

March 21, 2016

L.A. County Department of Regional Planning

320 W. Temple Street

Los Angeles CA.90012

Statement of Opposition from John P. Lynch 3589 Canyon Crest Road Altadena CA. 91001

RE: Application for a Minor CUP for Project No.R2014-02411-(5) #201400014

The project as proposed does not conform to the Altadena community standards hillside management ordinance for many reasons. I have outlined only a few in the following exhibits. My neighbors and community truly believe that this is the very type of development for which the amended ordinance was enacted to prevent.

However, I do acknowledge all the hard work, time and money the applicants have put into their plans and application. They must have been attracted the area for some of the same reasons we all were. I would also like to show my appreciation to all those who spent long hours developing and enforcing our community standards and hillside ordinance. It was their intent was to keep Altadena a livable place and prevent projects that don not take their neighbors, surroundings and environment in to account.

If one was only to visit the applicant's website for information it would appear that this project is sensitive to the neighbors and environment. However, it only takes a brief visit to the site to find out that the proposed project is not a simple case of buying a vacant lot and building a modest home. The applicants have been fully aware of the difficulty, complexity and opposition to building on this site well before they officially purchased their property. The applicants were given a full year to research, talk to prospective neighbors and back out of their purchase if they found out that the lot was not suitable to meet their needs while respecting the rights of their neighbors and environment. Instead, the applicants chose to charge full steam ahead, hire an architect that designed a structure that maximizes the square footage that they could get away with. They chose the challenge of building in an extremely steep drainage covered by Oak woodland. They also chose to do so in a way that blocks light, views and invades the privacy of their potential neighbors. I would like the hearing officer to know that If the applicants are not able to build a structure that fits their needs within the confines of the CSDs they still have the option to potentially sell their property to the neighbors, the county or a land conservancy that would like to insure that this property be kept in an open natural state so it could continue to benefit the whole community and environment.

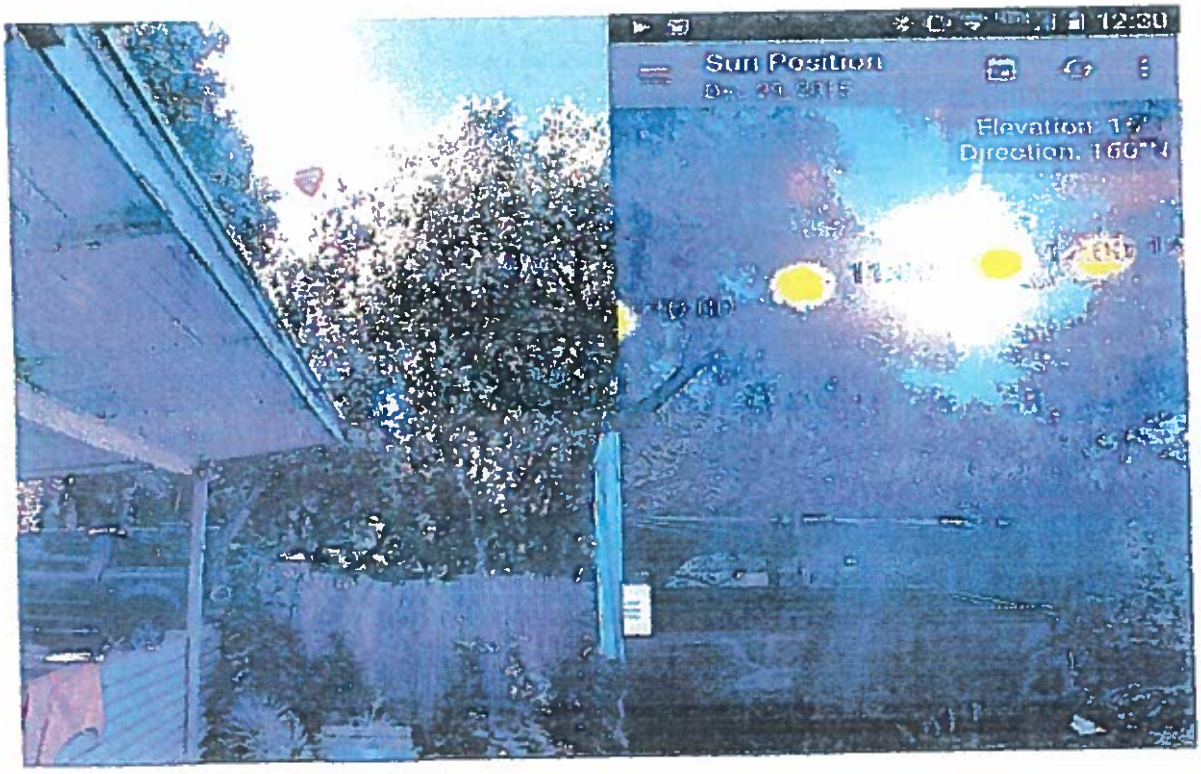
The intent and Purpose of The Altadena Community Standards District ("CSD") is established ***to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods and provide a means of reasonably protecting the light, air, and privacy of existing single-family residences from negative impacts on these resources caused by construction on adjacent properties of uncharacteristically large and overwhelming structures.*** *The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas.*

#1 The proposed structure is 5 times the height of the adjacent single story home at street level and twice as high as the tallest structure on the west side of Canyon Crest Rd.

Exhibit 1 & 1.1 shows a balloon on a 31' string well above the Oak canopy and a 30' pole next to 3589 whose roofline is only 6, above street level for comparison.

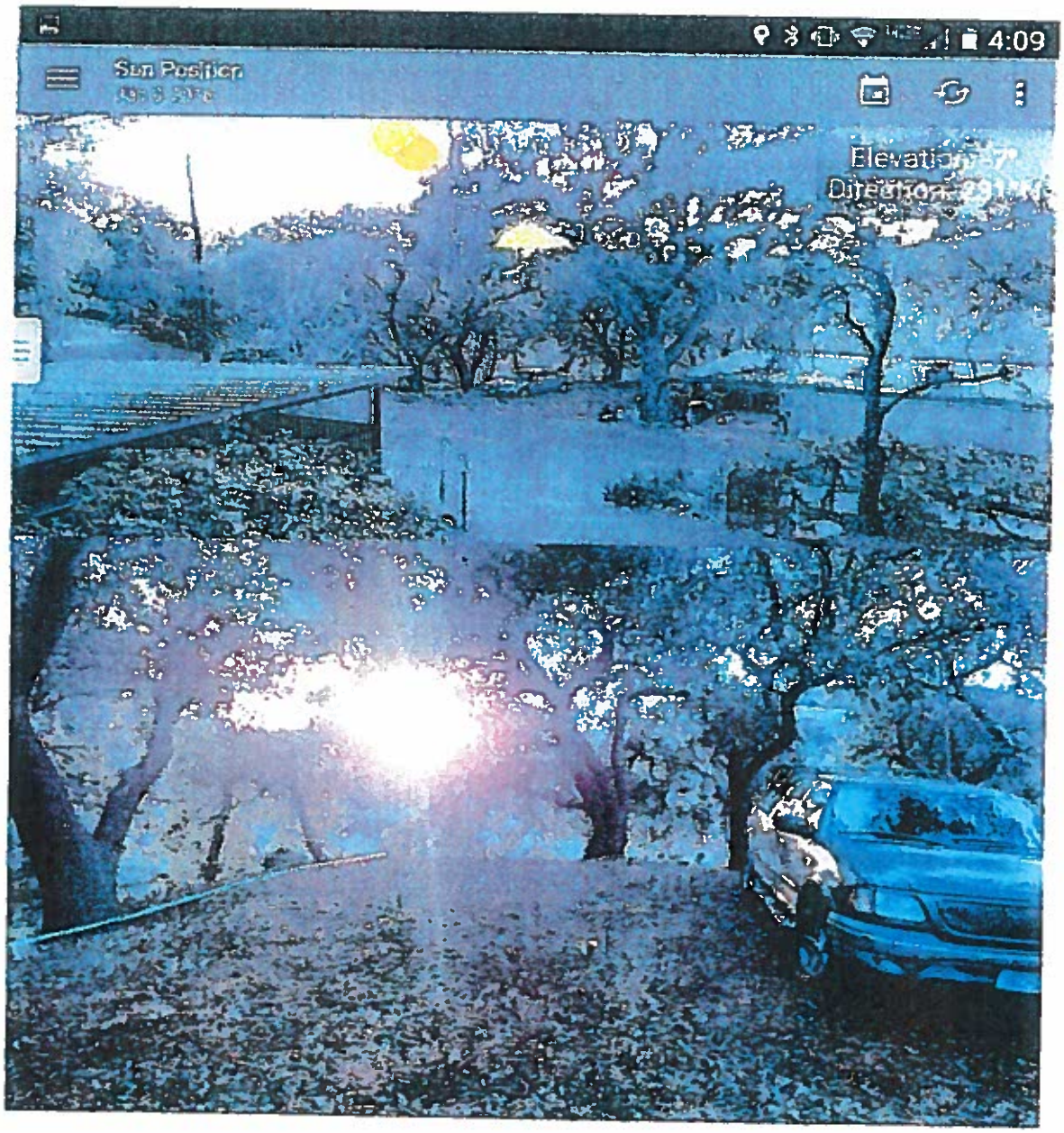
#2 The Proposed structure rises well above the Oak canopy to the south of 3589 Canyon Crest Rd. A 32' structure to the South would block the much desired winter sun.

Exhibit 2 and 2.1 shows the height of the proposed structure represented by a balloon on a 31' string and a photo taken with GPS from 3589 Canyon Crest detailing the position of the winter sun which is much lower than the proposed structure.



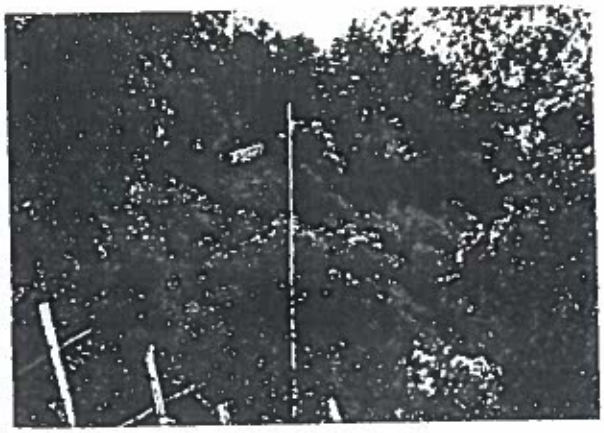
3 the proposed structures will block both views and sunsets of 3588, 3566 and 3557 Canyon Crest Rd.

Exhibit 3 - 3.1 shows the sun setting where the proposed structure would be built.



#4 The proposed structure will block the currently unobstructed canyon views of 3589 and 3617 Canyon Crest Rd. The View shed from these properties were purposely left off the applicant's website.

Exhibit #4 & 4.1 shows a 20' pole at the approximate N.W. corner of the proposed structure. A balcony will extend 8 feet to the west of the pole all the way to the Oak at the right side of the photo. The balcony will give the applicants unobstructed views onto the patios, yards and windows of 3589 and 3617 Canyon Crest Rd. as well as 3425 florecita Dr. and 4001 Canyon Dell Dr.



Current view fom 3589 Canyon Crest Rd.

Possible view after construction.

 # 5 the Oak canopy and roots that will need to be removed far exceeds ANSI standards and is not detailed in the incomplete arborist report. The Oak tree report also does not deal with how large foundation pilings will be drilled and large boulders will be removed without damaging the mature Oak woodland.

Exhibit #5 Major branches that are over the size of a single protected tree will have to be removed to fit the proposed structure in the Oak woodland.

EXHIBIT E

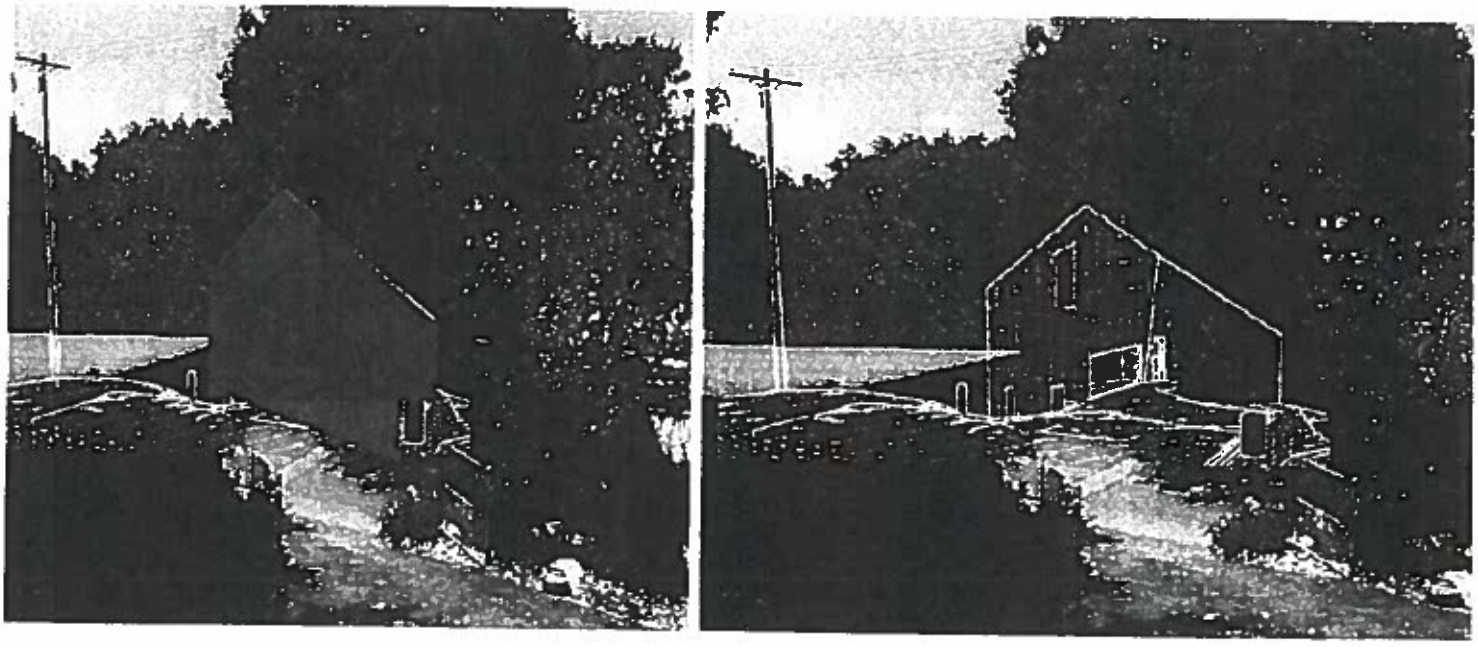


EXHIBIT F

Statement of Opposition
from Randall Baer
3588 Canyon Crest Road
Altadena, CA

RE: Project No. R2014-02411-5
3577 Canyon Crest Road
Altadena, CA

Randall Bean
3589 Canyon Crest Road
Altadena, CA 91001

When the Altadena Community Standards District Additional Development Standards for Hillside Management were adopted in November 2010, they were adapted for a reason. For years, Altadena residents had been trying to protect their local canyons from the type of hillside development that was plaguing so many other areas of Los Angeles County.

The first paragraph of this ordinance states that its intent and purpose is to "ensure that new and expanded structures are compatible in size and scale with the surrounding residential neighborhoods." This one sentence is a distillation of all their work and exemplifies how important this topic was to all those who participated.

This document addresses issues that, each and of themselves, I feel are sufficient to require a design modification of this project, if not a complete denial of the requested building permit.

Exhibit 1:
These photographs show the comparative building heights of the four adjoining homes on Canyon Crest Road:

3589 Canyon Crest Road, has height of ~ 8-10' above grade. (Built in 1949)

3617 Canyon Crest Road, has a height of ~16'. (Built in 1910)

3637 Canyon Crest Road has a height of ~ 12'. (Built in 1940)

3665 Canyon Crest Road has a height of ~11' above grade. (Built in 1922)

All of these homes are single story and were built upon nearly level lots. Their low rooflines allow neighbors across the road an unimpeded view of the canyon hillside beyond.

With a peak height of ~32 feet at the NE corner, the proposed building at 3577 Canyon Crest Road would be twice the height of the tallest home on the west side of Canyon Crest and nearly 4 times the height of the closest neighbor. A roofline

of this height, especially a roofline that is predicated on encompassing a 22' loft over a garage, is excessive and does not meet the desire of the Community Standards District Ordinance to be "compatible in size and scale...".

Exhibit 2:

The architect's model depicts the overall massing of the proposal, which is required by code to be only 2-stories in height. The applicant's architectural drawings depict four distinct stories and, if allowed, the building will have an overall height of ~62 feet from the lowest south west corner to the highest north east peak. While legally staying within the 35-foot-high building code requirement, the massing of the project is effectively the visual equivalent of a 6 story building. I dispute the applicant's argument that this proposal meets the qualification of being a 2 story home. The classification of their loft structure as a garage is merely an attempt to bypass code restrictions. The loft area is clearly depicted in the architectural drawings as having workstations and could easily be converted into conditioned space at a later time. The applicants have admitted in public hearings that they intend to use it as a work area and not for storage. A garage that is considered "compatible" with its single-story neighbors does not need a 22' loft area above it. The intentions of the Community Standards District conditions are not being adhered to and I request that the design be modified to meet them.

I also have concerns about the safety of locating an ~32' high metal structure in such close proximity to the Southern California Edison 4.16 Kv high voltage lines that adjoin the property. The peak roof height will be within the arcing zone of these lines during construction and poses an additional hazard to workers, equipment and the homes supplied by these power lines.

Exhibit 3:

The 2010 Hillside Management Area code's stated intent is that "all areas with a natural slope of 25% or greater remain in a natural state". For over 100 years this piece of land has remained in its natural state because it has been considered too steep to build upon. While I acknowledge that the applicants have a right to own their property, I dispute that they automatically have a right to build whatever they like upon their property.

The lot at 3577 Canyon Crest Road has a measured slope of 100%. This property is not a mere 1 or 2% steeper than the intent of the ordinance, it is 400% steeper and thus, should remain in its natural state.

Previous owners have attempted to erect structures on this lot and have been prohibited from doing so by the county. This proposal is much the same as those prior attempts, albeit more highly engineered and better funded.

To the best of my knowledge, there is not a single home in this area of Altadena that descends down into Millard Canyon as this project would do. All of the nearby homes were built on level lots between Canyon Crest Road and the edge of Millard Canyon. Allowing a new building to be constructed below the canyon's edge will be a dangerous precedent that would be contrary to the intent of the Altadena Hillside Ordinance. It would also deny the general public an open "first view" of lower Millard Canyon.

Exhibits 4-4.1

I dispute the applicant's assurances that the trees in this designated Oak Woodland will not be damaged during the construction process. The entire project is predicated upon being able to stage all of the machinery necessary for drilling caissons and pouring grade beams as well as all building materials needed for construction on a "pad" underneath 6 mature oak trees. Analysis of this pad area was intentionally avoided during the applicant's geological survey (pg. 2) for fear of damaging the root systems of these trees. The "pad" consists entirely rubble, leaf and wood mulch that was dumped there by the previous owner of the property. It ranges from several inches in depth at roadside to more than 30 inches in depth at trees #7 and #8 at the canyon's edge.

Numerous regional and state oak woodlands management reports advise against disturbing the root zones of these trees for fear of permanent damage. Placing a layer of plywood over this layer of mulch and using it as a parking area for drilling rigs, dump trucks, concrete deliveries, building materials and employee parking for up to one year is in direct conflict with the mandate to not disturb the root zones of these trees.

I am concerned about the applicant's possible intent to use the trunks of these oak trees as safety anchors should construction be approved. The 45° slope is steep enough to require OSHA mandated safety ropes and harnesses. OSHA also requires secondary anchors which would require drilling into the root zone of the oak grove above. The use of the under-canopy "pad" area for any of these purposes is contrary to the recommended oak woodlands protection standards.

Current architectural drawings indicate that the garage level is at 1346'; the same elevation as Canyon Crest Road. From reviewing these drawings, it appears that the depth of the mulch layer has not been taken into consideration with this design and brings into question the applicant's plan to construct a driveway and garage entrance ramp upon this material. The Oak Tree Management Report is clear in its recommendation that this root zone not be impacted by grading, filling

or paving; all of which would be necessary if the applicant's current plans are approved.

Exhibit 5:
The applicant's Burden of Proof statements do not address the large, granite boulder that is located within the proposed foundation grade beam zone. At an estimated 50,000 lbs., this boulder poses a substantial risk should it break loose and tumble into the canyon below. If such a catastrophe were to happen there is an expectation that the sewer line that serves the 250 homes in The Meadows area would be severely impacted and raw sewage would flow into the Millard Canyon blue line stream. This is an area that needs to be assessed in much deeper detail than has currently been addressed by the Los Angeles County Department of Public Works.

The applicants have been waging a concerted public relations effort via their webpage and the information contained within it. There are multiple discrepancies posted on this website that have served to distort disputed points. A majority of the Altadena Town Council members appear to have drawn their information from this website rather than from physical visitation to the property in question. Of the five council members who have acknowledged visiting the site, all five have voted against its approval.

Their 3D models and wireframe renderings, while picturesque, are under scale and misrepresent the true size of the proposed project. Actual site measurements, when overlaid these renderings, depict a project that is larger than depicted. While the applicants repeatedly state that the existing oak trees will shield their building from view, actual site measurements show that the ~32' loft peak will be nearly as tall as the tree canopy.

The applicants repeatedly state that they have always been open to input and have actively solicited comments from neighbors and the community. Plans and models were first presented to us on July 25, 2015. My very first email response to the Planning Department, on July 29, 2015, questioned the suitability of this proposal. Subsequent documents, provided by the applicant and the county, indicate that this design had been finalized and approved by various departments several weeks before the July 25th unveiling. The applicants have repeatedly stated at public hearings that any changes to the design at this time would be costly and time consuming.

We have been presenting our objections to the suitability of building on this hillside lot as well as the overall height of the roofline since July of last year.

These objections clearly contrast with the applicants' statements that they have always been open to suggestions regarding design change. From all appearances, this design was locked in by July 25, 2015 and that there has never been any intent to modify the design in response to neighborhood input.

I respectfully ask that you reject the proposed project as not adhering to the wording and intent of the 2010 Altadena Community Standards District Hillside Ordinance.

If, the decision of the hearing officer is contrary to my objections, I request that the applicants be required to come up with an alternate design that more closely meets the intent of the Altadena Community Standards District Hillside Ordinance, is smaller in scale, and is more compatible with the heights of the neighboring homes.

Respectfully,

Randall Baer
3588 Canyon Crest Road

Exhibit 1

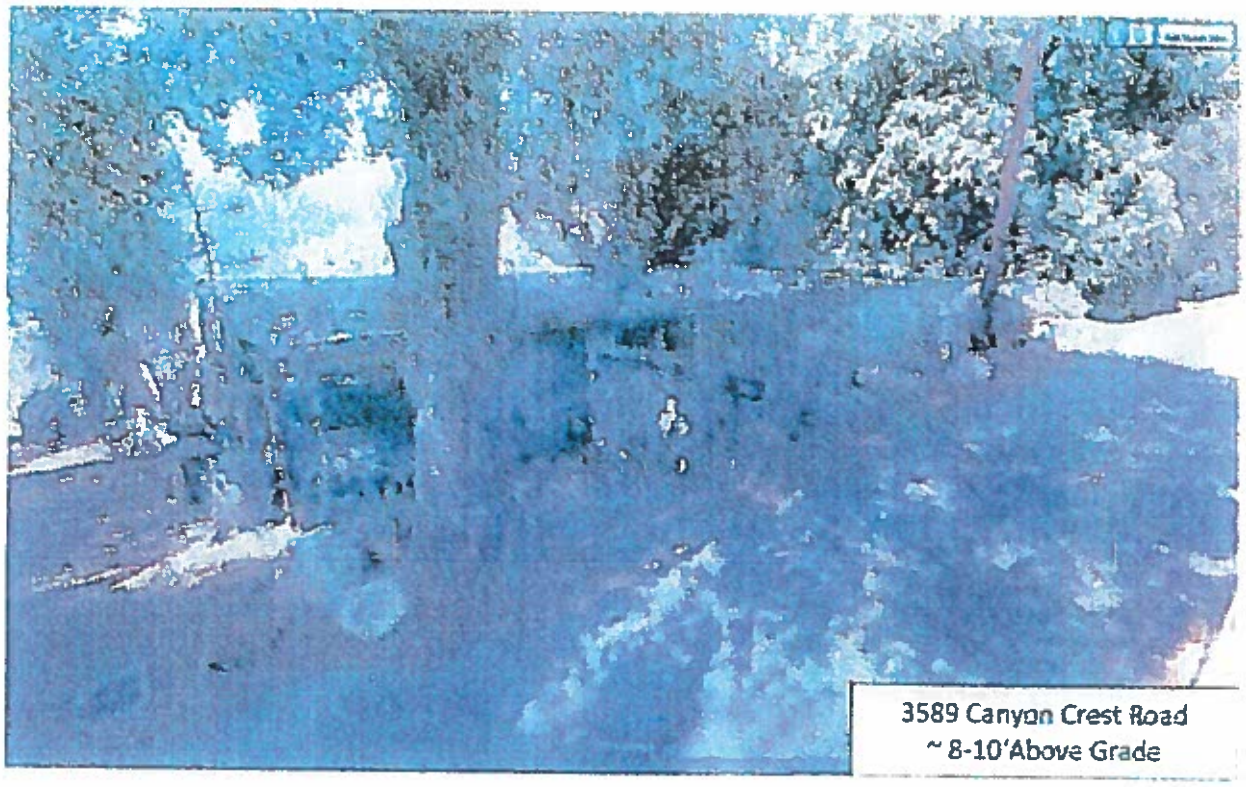


Exhibit 1.1

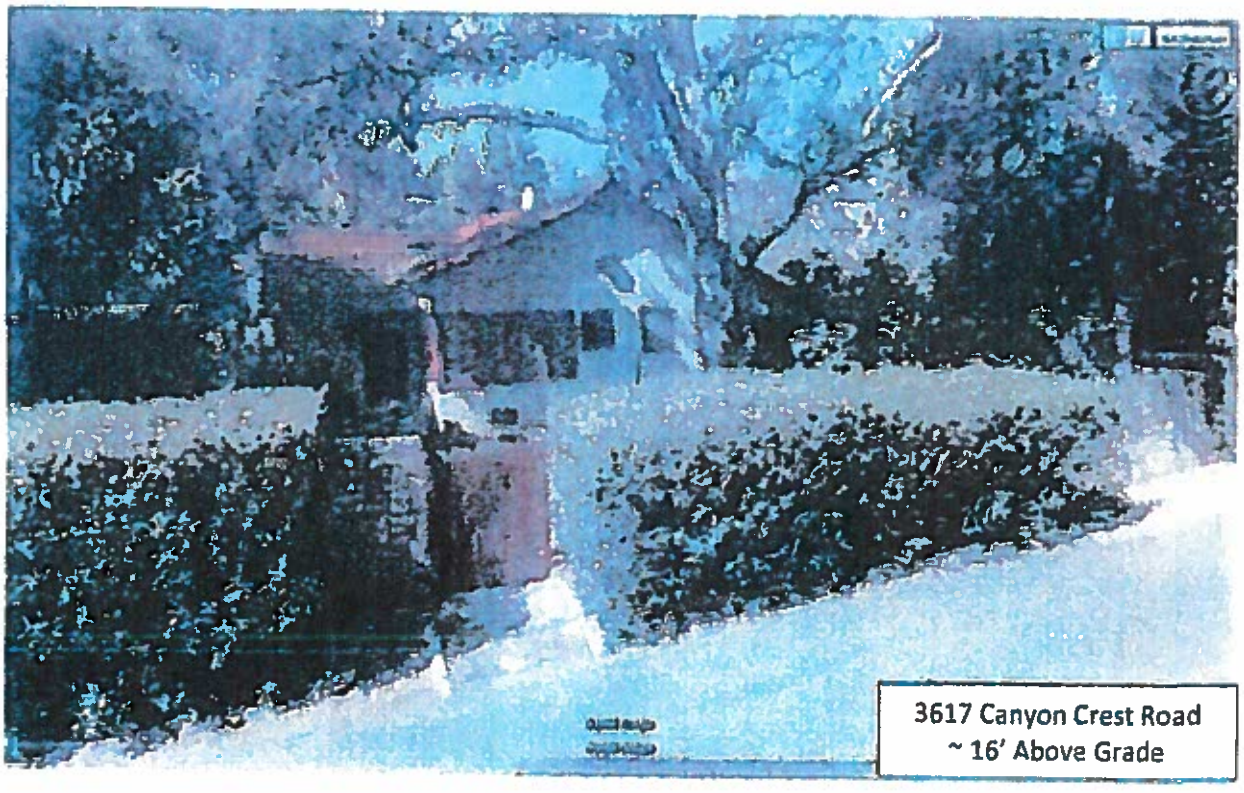


Exhibit 1.2

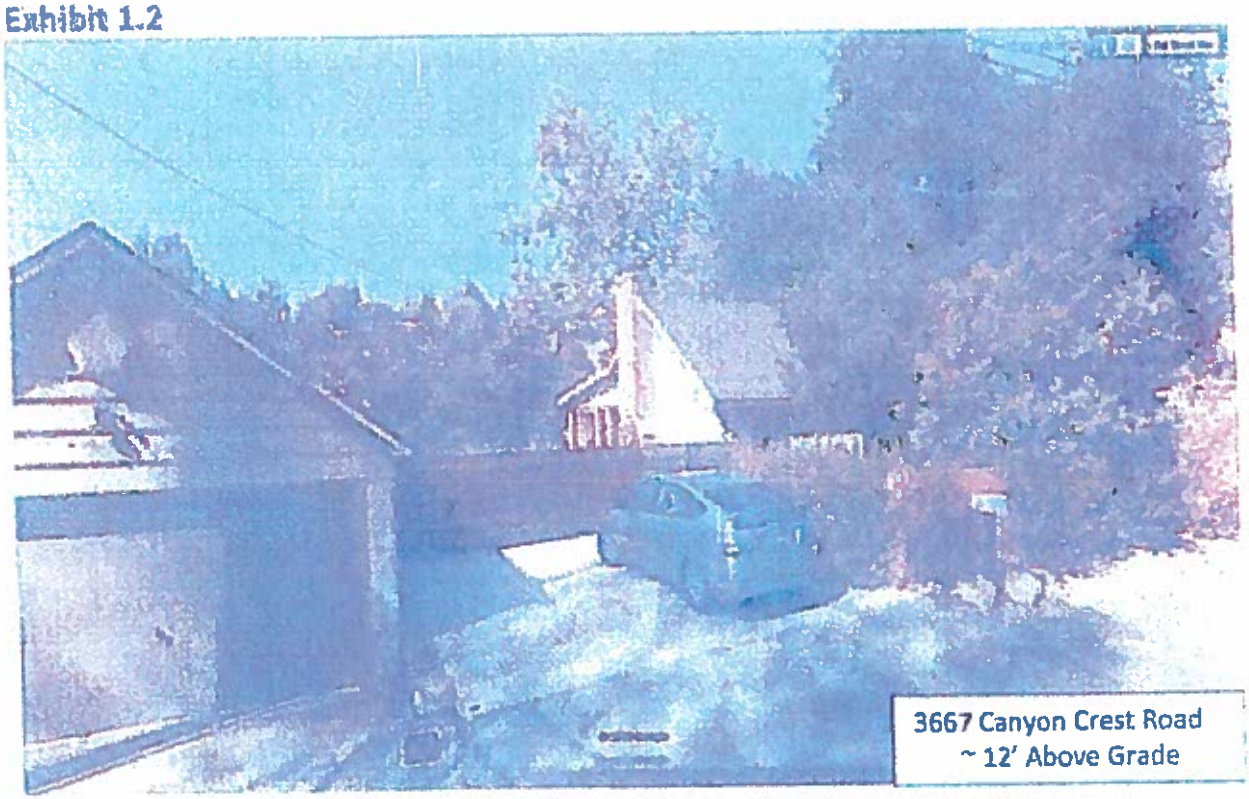


Exhibit 1.3

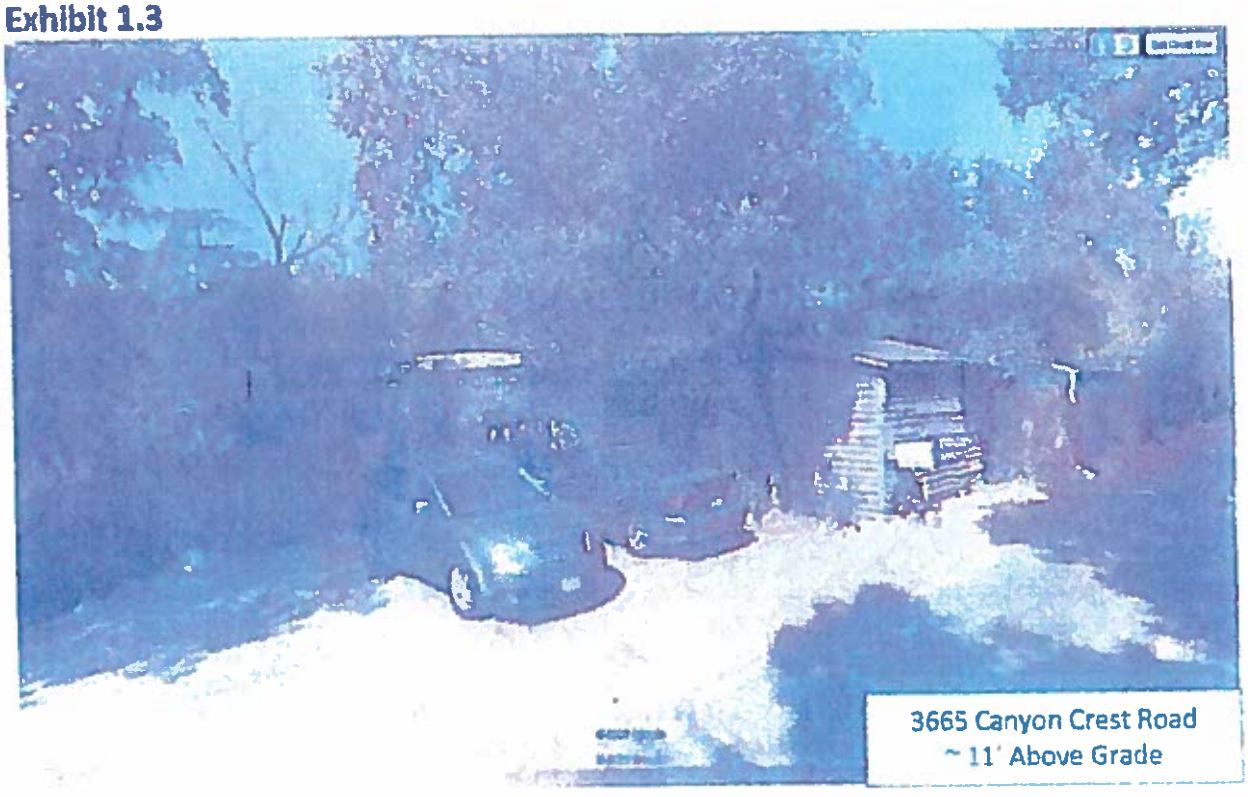
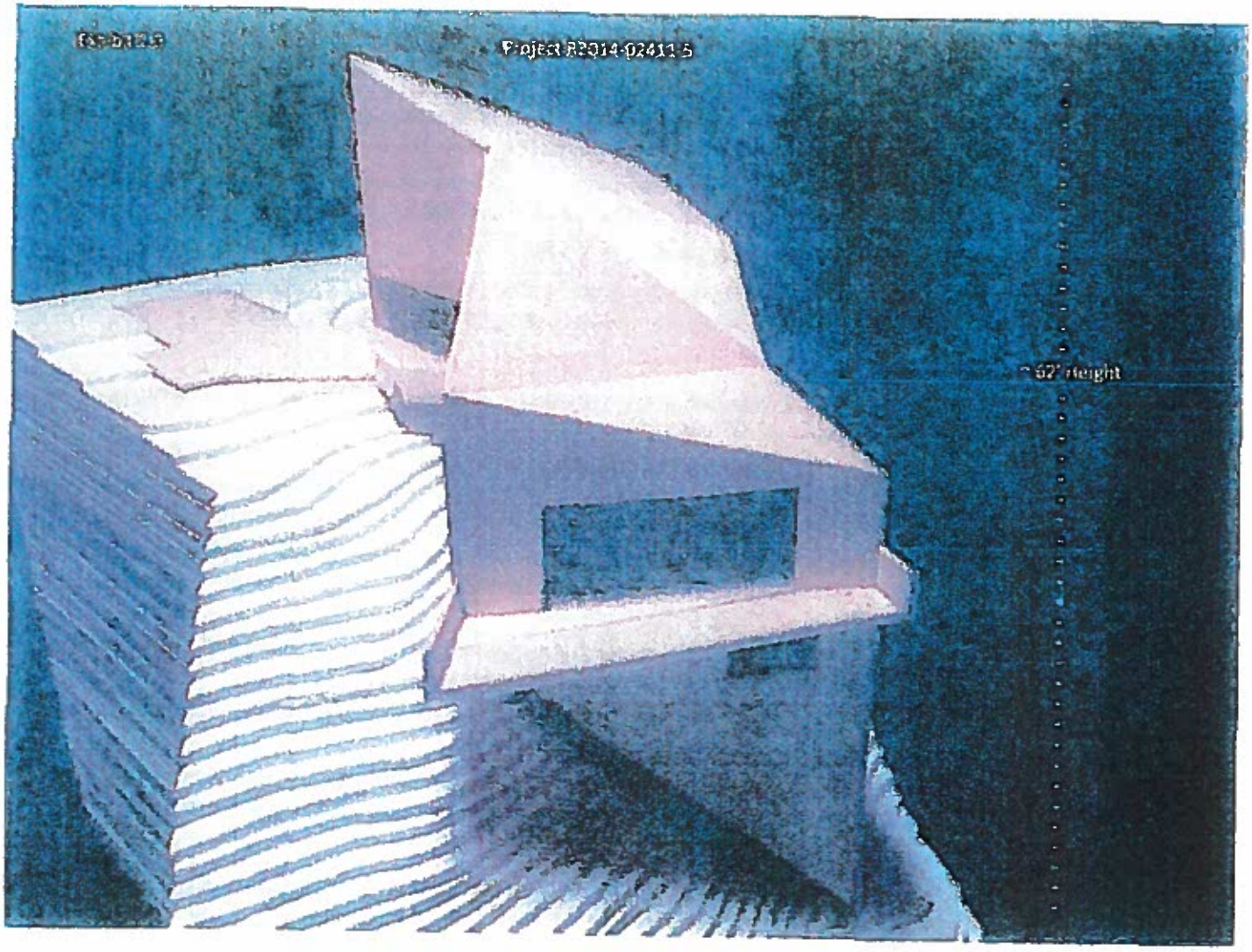


Exhibit 2



Applicant's Model Depicting Height of ~62' from SW Base to NE Peak

Exhibit 3

22.44.127 - Altadena Community Standards District

A. Intent and Purpose. The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts. The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas.

B. Description of District. The boundaries of the District are coterminous with the boundaries of the Altadena Community Plan. The map of the District follows this Section.

C. Community-wide Development Standards.

1. Landscaping. Where landscaping is required by this CSD, it shall be maintained through regular pruning, weeding, fertilizing, litter removal, and replacement of plants as necessary.

2. Hillside Management.

a. Applicability. The provisions of this subsection shall apply in hillside management areas, as defined in Section 22.08.080, except for:

i. Applications submitted to the Department of Regional Planning and deemed complete prior to the effective date of the ordinance creating this subsection, provided that plans submitted with the application depict all proposed grading and structures.

ii. Changes to applications approved by the Department of Regional Planning prior to the effective date of the ordinance creating this subsection, provided that such changes:

(A) Do not cumulatively increase the previously approved floor area or height of any structure by more than 10 percent, and

(B) Do not cumulatively increase the previously approved amount of grading to more than 2,500 total cubic yards of material.

iii. Applications to repair or reconstruct a damaged or destroyed structure that was legally established prior to the effective date of the ordinance creating this subsection.

b. Permit Required.

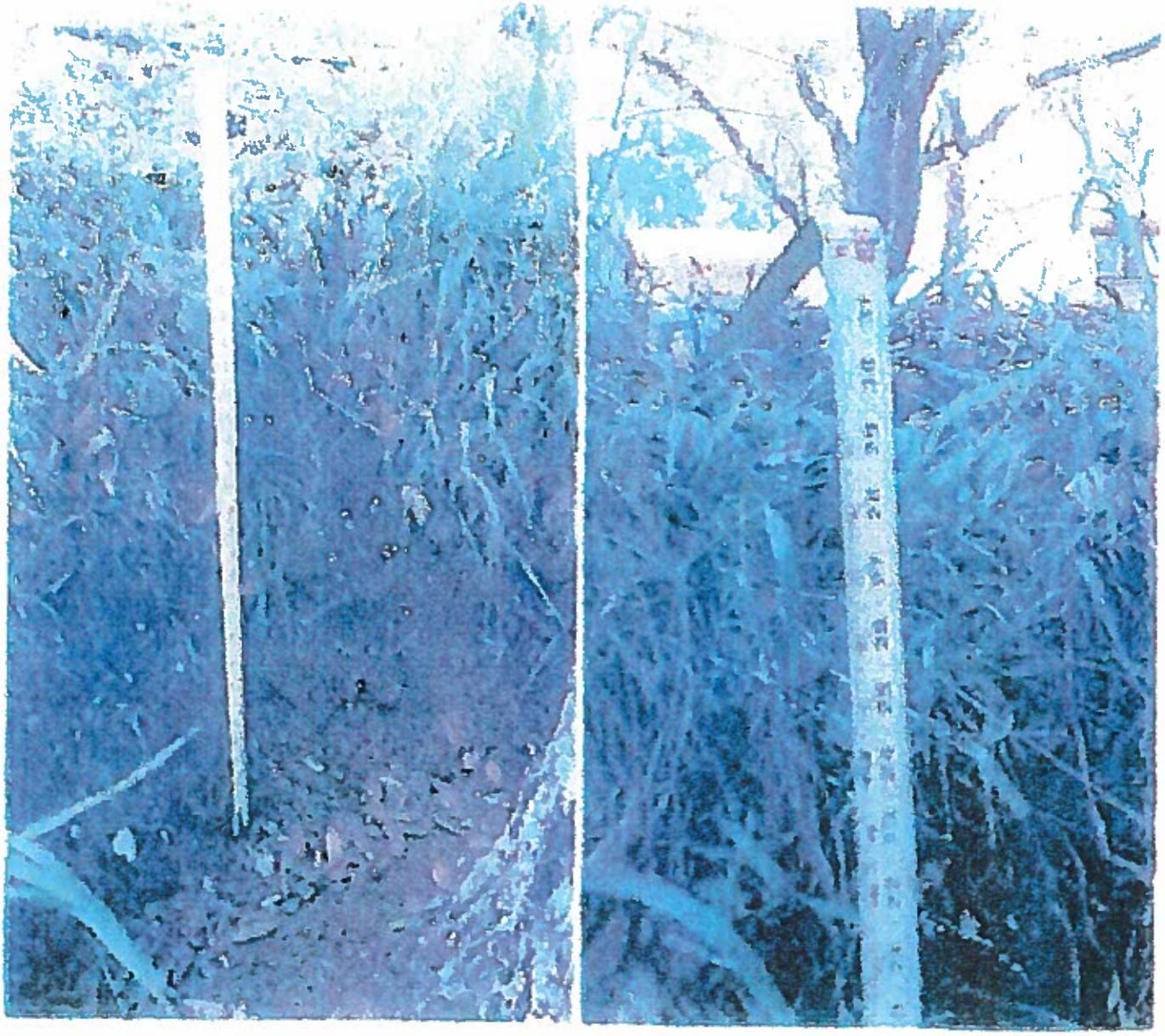
i. A minor conditional use permit, as provided in Section 22.56.085 shall be required for any development that is not otherwise subject to a conditional use permit pursuant to Section 22.56.215, except for:

(A) Additions to a structure that was legally established prior to the effective date of the ordinance creating this subsection;

(B) New accessory structures; and

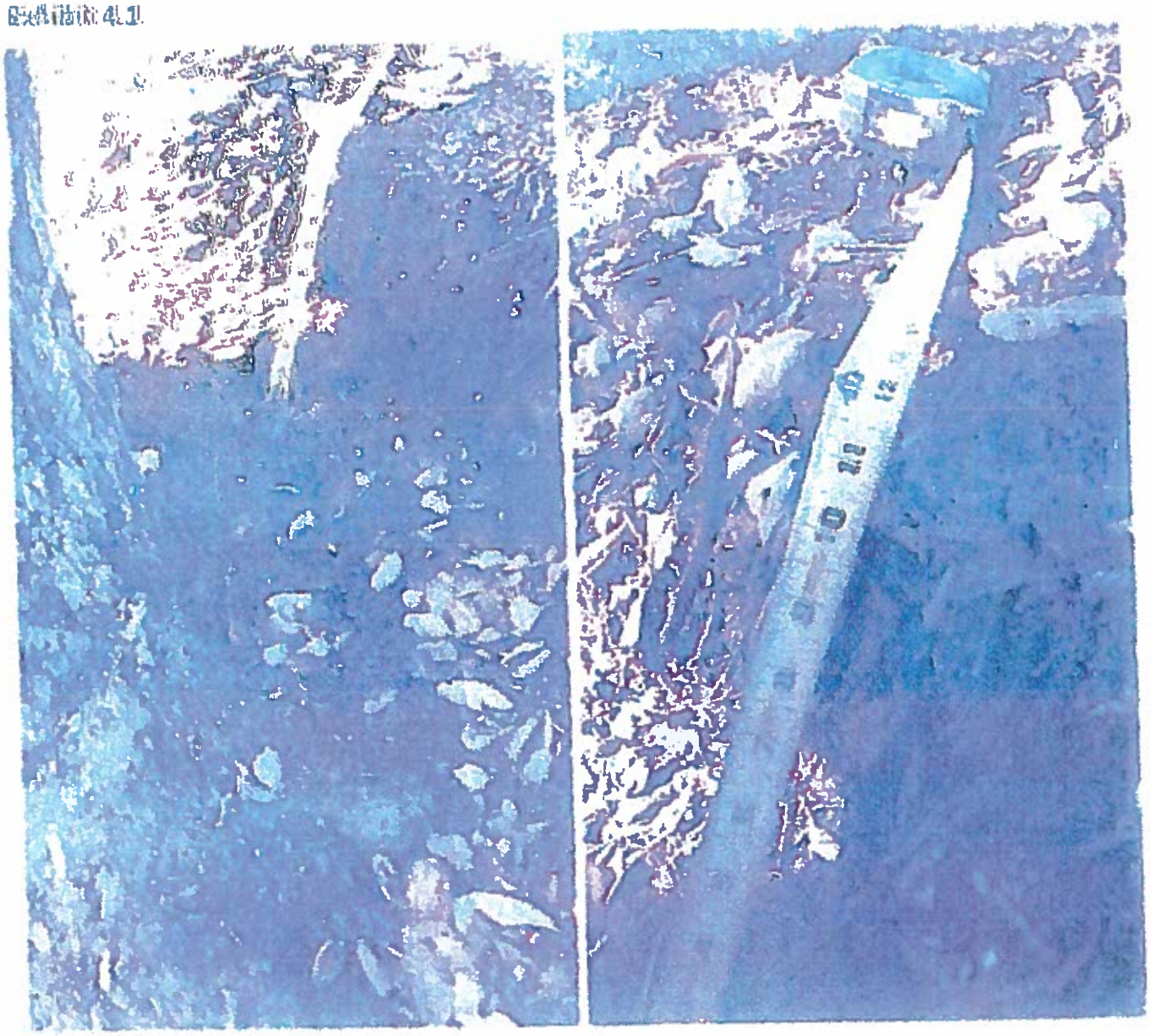
(C) Development designed so that all areas with a natural slope of 25 percent or greater remain in a natural state.

Exhibit 4



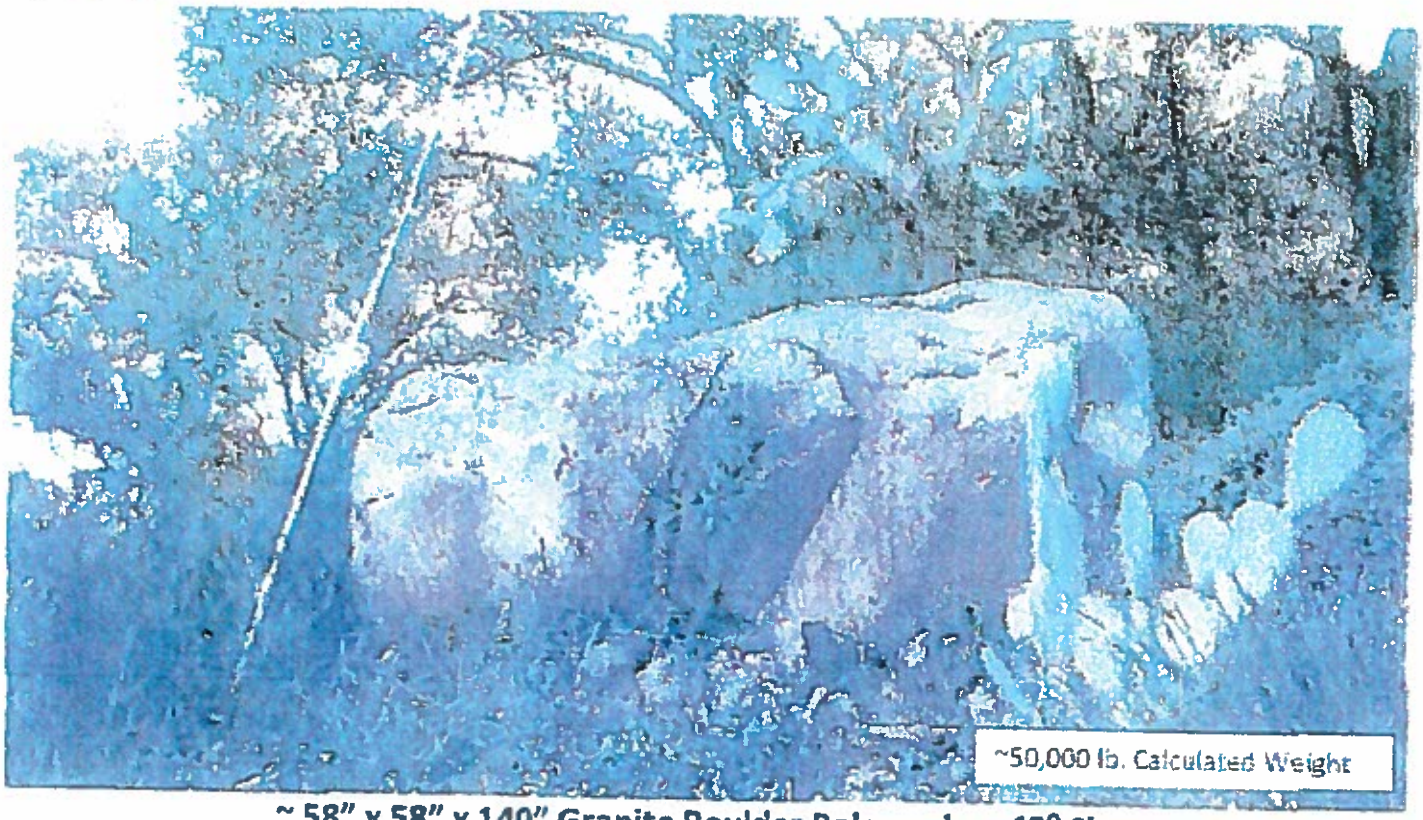
Oak Tree #7 Root Crown Mulch Depth ~30-32"
Located at Western Edge of Fill Pad

Exhibit 4.1



Oak Tree #4 Root Crown Mulch Depth ~ 11-12"
Located at Eastern Edge of Fill Pad

Exhibit 5



~ 58" x 58" x 140" Granite Boulder Balanced on 45° Slope

The white pole at left indicates estimated location of NW corner of proposed building

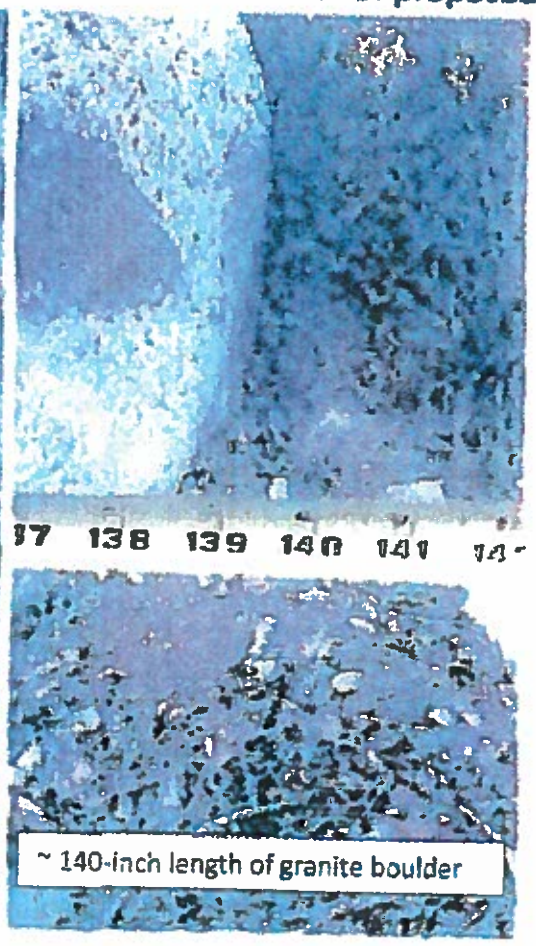


EXHIBIT G

From:
Michael and Mindy Hickman
3617 Canyon Crest Road
Altadena, CA 91001

(626) 398-6471
vht@att.net

Re: Project & Permits #R2014-02411 (5), ROAK 201400035 and RMCP 201400014

We are opposed to granting a Minor CUP for this project as currently proposed for several reasons dealing with issues of negative environmental impacts, public safety and several items that are in conflict with The Altadena Community Standards, Hillside Management, Oak Tree Protection and Significant Environmental Area L.A. County Ordinances.

Considering the proposed building site is located in a unique and environmentally sensitive area of the Altadena Foothills, a site visit is crucial to awareness and understanding of the issues involved and should be a requisite condition of passing a ruling on this project.

We feel the applicant has been deliberately deceptive in his zoning application and additional presentation regarding the scope and impacts of the proposed project. For instance, in section 22.56.215.3.a, the applicant states as "not applicable" the requirement for "Identification and location of the resources constituting the basis for classification of such area as a significant ecological area (SEA) where not provided by the environmental assessment or the initial study for an environmental document"; when actually, the property traverses Millard Canyon, a known SEA, crosses a Blue-line stream and terminates on a significant ridgeline that divides Millard Canyon from the Arroyo Seco Canyon. Millard Canyon is also a known Wildlife Migration Corridor providing habitat linkage for several and diverse species, including mule deer, mountain lion, bear, raccoons, foxes, bobcats, skunks, opossums, coyotes, as well as several avian species, such as great white egrets, Cooper' s hawk, Swainson's hawk, Peregrine falcon, golden eagle, vultures, several species of owls, to name a few. The proposed specific building site is a known wildlife route where the animal species listed have been observed by myself or other local residents. Intrusion and disruption of the canopy and protected zones of the several oak trees noted in the proposal can cause detrimental habitat fragmentation, loss of habitat and food source that can drive wildlife into nearby residences in search of alternatives. (Additional information regarding the property and the SEA are noted in the Independent Arborist Review submitted by Rebecca Latta Arboricultural Consulting). We feel a biological assessment of the property is warranted prior to the commencement of any construction activity.

In response to section 22.56.215.F.1.a, the applicant states "from the street, a very small footprint would be evident". This statement is completely false as evidenced by the various renderings he has supplied, which are very misleading as they are consistently underscaled in an attempt to

make the proposed structure appear smaller than actually intended. This is one of the reasons a site visit is necessary to assess the actual impacts of the proposal.

In response to section 22.56.215.F.1.b, the applicant states "The project attempts to preserve the natural character of the space by going to great lengths to preserve the existing oak trees and use them to minimize visual impacts"; when actually, the project as presented would completely obscure the natural character of the space by damaging and removing several oak trees and completely obstructing canyon views from the street and from several nearby residences, as well as blocking light, air and compromising privacy of some residents.

It appears from the proposed project plans that the structure would be placed very close to a very old sewer siphon line that services The Meadows area of Altadena, and that a deep hole for a foundation piling would have to be excavated in very close proximity to the sewer line at an area close to where a street flood control drainage flow crosses the sewer line. It appears that this situation has the potential to result in an accidental sewage spill that could "Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare" (22.56.090.c.). It seems prudent to have DPW examine the feasibility of this situation on site rather than from maps of the area. We further believe the effect of a year or more of construction activity and equipment on Canyon Crest Road at a blind curve that would be necessitated by this project also constitutes a menace to public safety and general welfare; and that the so-called flat pad that constitutes the protected zone of the oak trees is inadequate as a staging area for construction equipment, machinery and materials as intended by the applicant.

No mention is made regarding trenching necessary for water and sewer hookup, which would negatively impact the protected zones of several oak trees.

We feel the proposed structure would violate the intentions of the Altadena Community Standards district (22.44.127) which was established to ensure new and expanded structures are compatible in size and scale with characteristics of surrounding residential neighborhoods.

We cannot comprehend how a building on the west side (the canyon view side) of Canyon Crest Road, with a height of nearly 34 feet, can be considered compatible in size and scale to existing homes when it is over three times the height of the adjacent residence, and approximately twice the height of any other home on the canyon side of the street.

Also, the proposed structure is described as a "two story home", though the plans clearly show four distinct levels with a total low point to high point measurement of approximately 60 feet! We would like these apparent discrepancies of description clarified, as they do not seem to make sense.

Mr. Kuhn has often implied a willingness to compromise with the concerns of residents, yet he has shown no intention of doing so.

I reiterate we are against granting a MCUP for this project for the various stated reasons, but if the project is allowed to proceed, we have an alternative proposal:

Considering the extreme height of the proposed garage roof is one of the most objectionable elements of the design to the current residents, we would like to offer the following suggestion in compromise:
That the height of the garage area be reduced and redefined to a maximum height of approximately twenty feet, which would be much more aesthetically acceptable, and suitable in scale to the neighborhood. While a 35 foot height is allowed by code, it is inappropriate in this instance. It seems incomprehensible that anyone would require a 34 foot ceiling in a garage.

ADDENDUM

I think it should be noted for the record that Mr. Kuhn was fully aware of the opposition of current residents to his proposed development several years before purchasing the subject property. I know this because he approached me in my driveway in approximately 2010 and began questioning me about the property and told me he lived up the hill and he could "totally build on that property" by sinking huge concrete pillars and beams into the hillside. I informed him that no one in the area wanted to see that happen and everyone would fight "tooth and nail" to keep him from doing that.

He approached several residents with an "invitation" in their mailboxes on July 17, 2015 to meet him at the property the following week for coffee and "home baked treats" so he could try to "accommodate" any concerns we might have because if anyone lodged formal complaints with Regional Planning it would cost him thousands of dollars for a public hearing. This was when and how he approached the residents within 300 feet of his property--after it was too late to for them to really do anything, except save him money!

In an attempt to win community approval, Mr. Kuhn has repeatedly misrepresented the size of the proposed project by showing underscaled renderings, and using misleading language like: "a small energy efficient home", "respectful of the surroundings", "'tucked in' among the oaks", "folded around an oak". He repeatedly asserts that this large, imposing structure built on the rim of a canyon cannot possibly block anyone's view of that canyon--and you can prove it by standing in a certain place and looking in a certain direction--just not in the direction of the structure.

Kristina Kulczycki

From: nealrdougherty@aol.com
Sent: Wednesday, March 23, 2016 3:40 PM
To: Kristina Kulczycki
Cc: svatcc@gmail.com
Subject: Development of 3577 Canyon Crest, Altadena, CA

To: kkulczycki@planning.lacounty.gov

Date: 23 March 2016

Re: Proposed Development of 3577 Canyon Crest, Altadena, CA

Since June 1972, we have owned and occupied the home at 3740 Canyon Crest Road, Altadena, ¼ mile north of the proposed project. Ours is the last Canyon Crest home on the east side of Millard Canyon.

Other than the traffic interference on Canyon Crest during construction of the proposed project, we will be minimally affected. Hence, we have little objective reason to oppose the project.

The one home significantly impacted long term is 3589 Canyon Crest Road, now owned and occupied by John and Michiko Lynch. It was built around 1950 by Bill and Maxine Parrish. We knew them and have known all the subsequent owners. At least since 1972, the owner has used the small flat space at the northeast corner of the proposed project site as supplemental parking for themselves and their guests. A possible prescriptive easement resulting from this historical use may need to be addressed. We would like to see the Lynch's interests respected.

We were unable to attend the Altadena Town Council meeting that considered the project. It is our understanding that during the meeting Mr. Hobdy, council representative for this area, stated: "99% of residents are opposed." And based on his statement as fact, the council changed its recommendation from approval to disapproval.

The 99% statement, made without an explicit margin of error, is routinely and properly understood to mean that the margin of error is 1%. To achieve that accuracy, 10,000 residents would have to be polled. Neither we, nor neighbors with whom we have spoken, were polled. It's extremely unlikely that any such poll was conducted.

Whatever the merits of the proposed project, a decision to approve or disapprove should not be based on a misstatement of fact.

Sincerely,

Neal R Dougherty Ann R Dougherty

From:
Michael and Mindy Hickman
3617 Canyon Crest Road
Altadena, CA 91001

(626) 398-6471
vht@att.net

Re: Project & Permits #R2014-02411 (5), ROAK 201400035 and RMCP 201400014

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Kristina Kulczycki

From: johnthearborist@aol.com
Sent: Wednesday, March 23, 2016 12:46 AM
To: Kristina Kulczycki
Subject: Letter of opposition for project No.R214-02411-(5)
Attachments: March 21 2016 opposition letter for 35XX.docx

Dear Ms. Kulczycki,

Please accept this letter. I understand that you were trying to gather material before March 22nd. I am currently out of the country so, It has been difficult to find the opportunity to write.

Respectfully
John Lynch
(818) 317-8306
johnthearborist@aol.com

March 21, 2016

L.A. County Department of Regional Planning

320 W. Temple Street

Los Angeles CA.90012

Statement of Opposition from John P. Lynch 3589 Canyon Crest Road Altadena CA. 91001

RE: Application for a Minor CUP for Project No.R2014-02411-(5) #201400014

The project as proposed does not conform to the Altadena community standards hillside management ordinance for many reasons. I have outlined only a few in the following exhibits. My neighbors and community truly believe that this is the very type of development for which the amended ordinance was enacted to prevent.

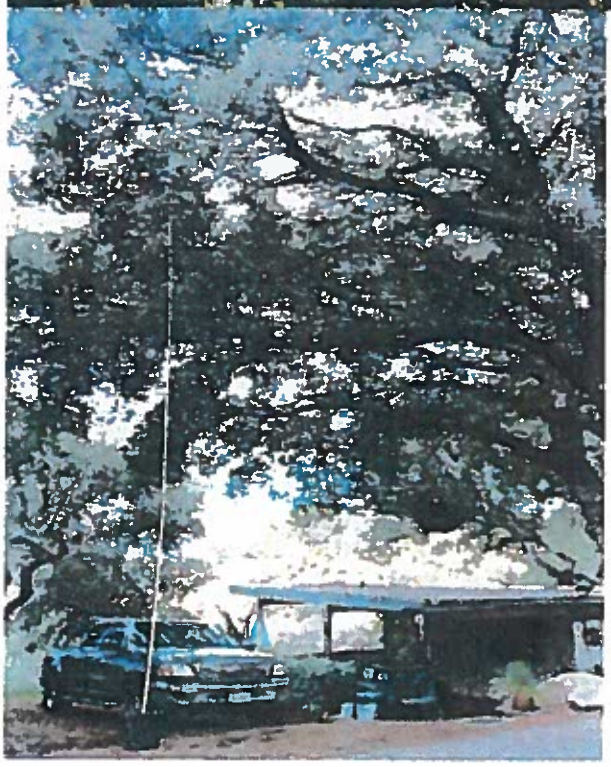
However, I do acknowledge all the hard work, time and money the applicants have put into their plans and application. They must have been attracted the area for some of the same reasons we all were. I would also like to show my appreciation to all those who spent long hours developing and enforcing our community standards and hillside ordinance. It was their intent was to keep Altadena a livable place and prevent projects that don not take their neighbors, surroundings and environment in to account.

If one was only to visit the applicant's website for information it would appear that this project is sensitive to the neighbors and environment. However, it only takes a brief visit to the site to find out that the proposed project is not a simple case of buying a vacant lot and building a modest home. The applicants have been fully aware of the difficulty, complexity and opposition to building on this site well before they officially purchased their property. The applicants were given a full year to research, talk to prospective neighbors and back out of their purchase if they found out that the lot was not suitable to meet their needs while respecting the rights of their neighbors and environment. Instead, the applicants chose to charge full steam ahead, hire an architect that designed a structure that maximizes the square footage that they could get away with. They chose the challenge of building in an extremely steep drainage covered by Oak woodland. They also chose to do so in a way that blocks light, views and invades the privacy of their potential neighbors. I would like the hearing officer to know that If the applicants are not able to build a structure that fits their needs within the confines of the CSDs they still have the option to potentially sell their property to the neighbors, the county or a land conservancy that would like to insure that this property be kept in an open natural state so it could continue to benefit the whole community and environment.

The intent and Purpose of The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods and provide a means of reasonably protecting the light, air, and privacy of existing single-family residences from negative impacts on these resources caused by construction on adjacent properties of uncharacteristically large and overwhelming structures. The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas.

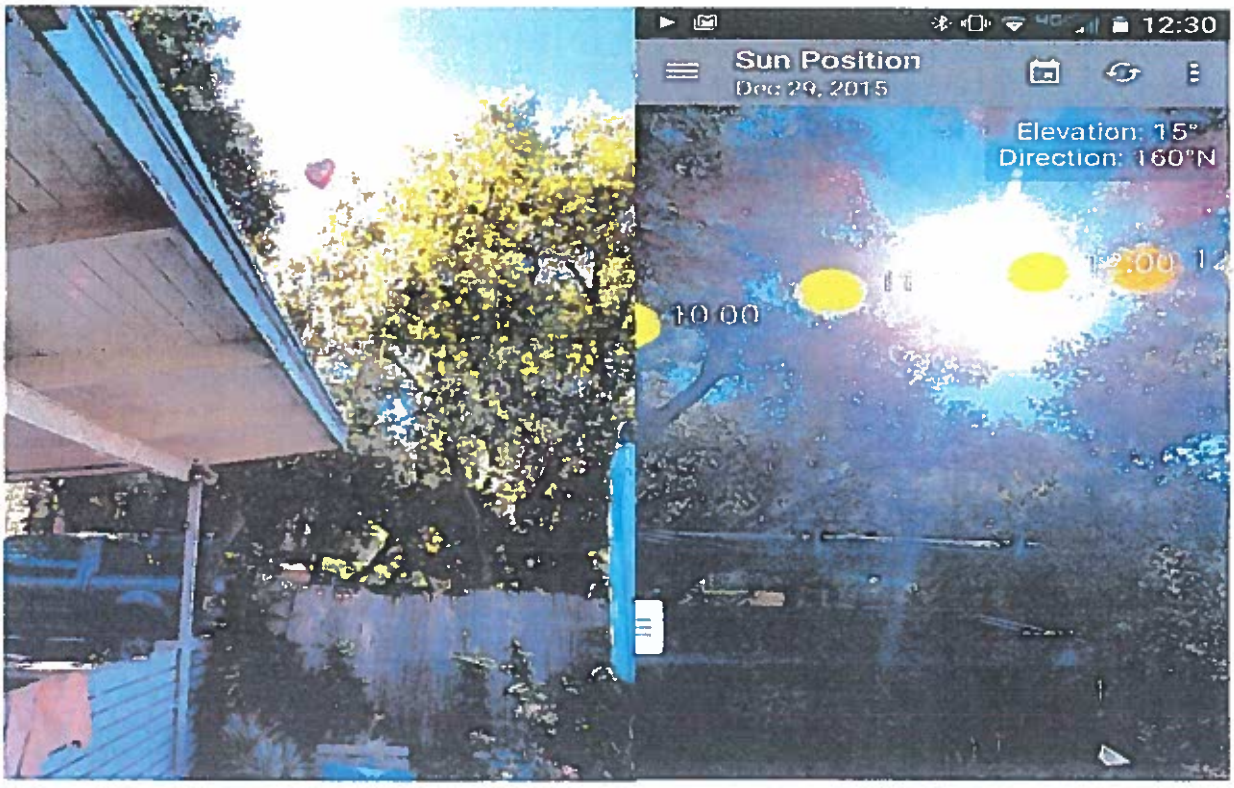
#1 The proposed structure is 5 times the height of the adjacent single story home at street level and twice as high as the tallest structure on the west side of Canyon Crest Rd.

Exhibit 1 & 1.1 shows a balloon on a 31' string well above the Oak canopy and a 30' pole next to 3589 whose roofline is only 6, above street level for comparison.



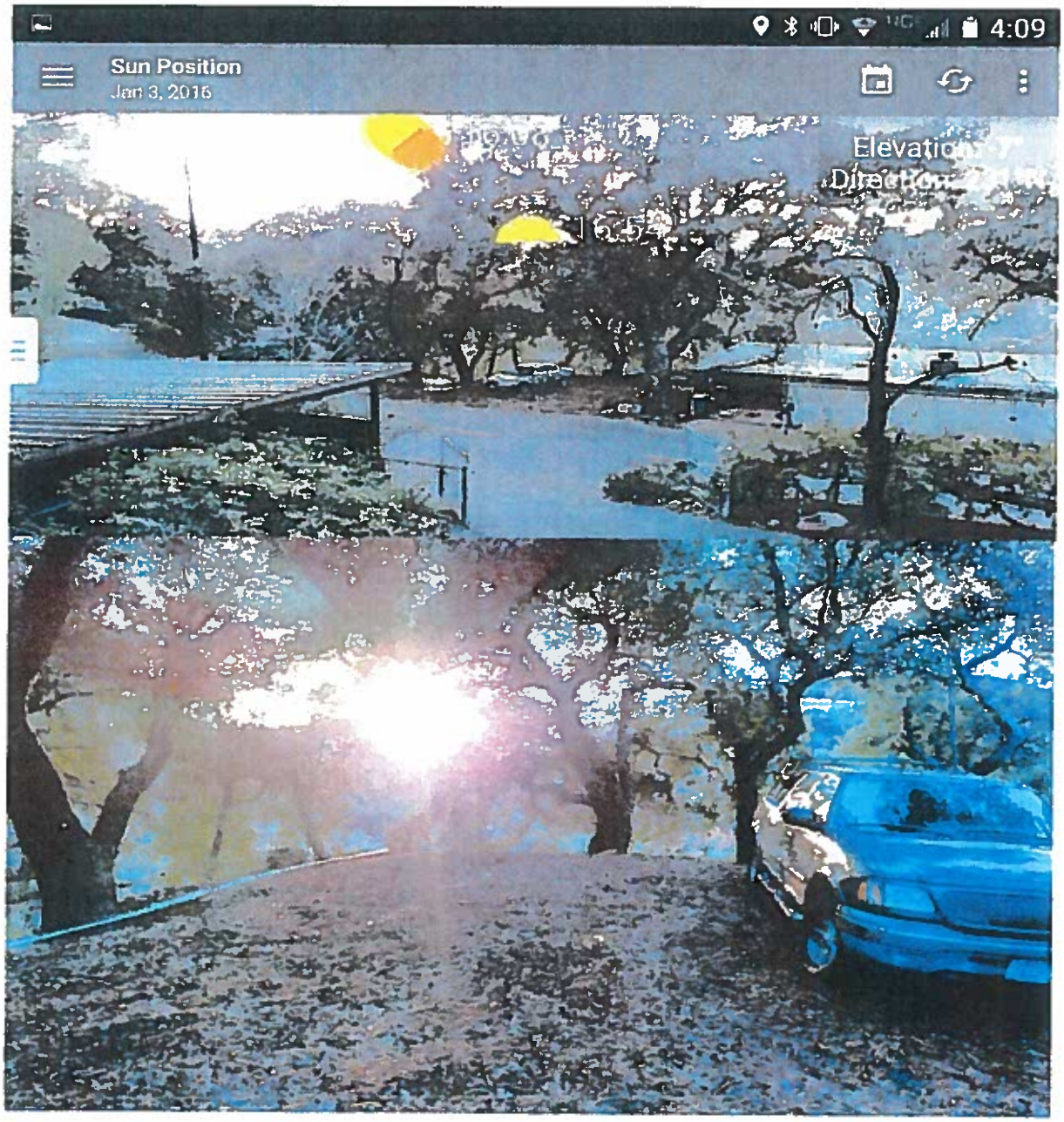
#2 The Proposed structure rises well above the Oak canopy to the south of 3589 Canyon Crest Rd. A 32' structure to the South would block the much desired winter sun.

Exhibit 2 and 2.1 shows the height of the proposed structure represented by a balloon on a 31' string and a photo taken with GPS from 3589 Canyon Crest detailing the position of the winter sun which is much lower than the proposed structure.



3 the proposed structures will block both views and sunsets of 3588, 3566 and 3557 Canyon Crest Rd.

Exhibit 3 - 3.1 shows the sun setting where the proposed structure would be built.



#4 The proposed structure will block the currently unobstructed canyon views of 3589 and 3617 Canyon Crest Rd. The View shed from these properties were purposely left off the applicant's website.

Exhibit #4 & 4.1 shows a 20' pole at the approximate N.W. corner of the proposed structure. A balcony will extend 8 feet to the west of the pole all the way to the Oak at the right side of the photo. The balcony will give the applicants unobstructed views onto the patios, yards and windows of 3589 and 3617 Canyon Crest Rd. as well as 3425 florecita Dr. and 4001 Canyon Dell Dr.

Current view fom 3589 Canyon Crest Rd.

Possible view after construction.

 # 5 the Oak canopy and roots that will need to be removed far exceeds ANSI standards and is not detailed in the incomplete arborist report. The Oak tree report also does not deal with how large foundation pilings will be drilled and large boulders will be removed without damaging the mature Oak woodland.

Exhibit #5 Major branches that are over the size of a single protected tree will have to be removed to fit the proposed structure in the Oak woodland.

Kristina Kulczycki

From: Shari Asplund [bluebird1964@sbcglobal.net]
Sent: Tuesday, March 22, 2016 3:59 PM
To: Kristina Kulczycki
Subject: Case Number R2014-02411

Categories: Red Category

Dear Ms. Kulczycki,

We are residents of Altadena living in The Meadows, and we are very concerned with the new home development, project R2014-02411, proposed to be built on lower Canyon Crest. The Altadena Town Council voted to recommend approval of the minor conditional use permit to construct the home, based largely on the applicants website. However the site contains many inaccurate contentions, misrepresentation of the facts, and erroneous information. Please note that the five council members who actually visited the site to see it for themselves voted against recommending approval for the project.

Below are some of the concerns about this project:

Will this construction have an impact on the aesthetics of the neighborhood? Yes, it will. The applicants contend the house will not block views, when in fact it certainly will. It will be 30' above street level. I'm attaching a photo that shows the height of the proposed roof line with a balloon. You can see how it will block the views of the neighboring houses. The grove of oak trees will also be affected. The applicants state that only one tree will be cut down. This seems unlikely, given the large number of beautiful oak trees in the area where they plan to build. They are requesting a permit to remove one oak and encroach into the protected zone of nine other oak tress. What is the point of designating protected zones if they can be so easily encroached upon? Ms. Kulczycki, I implore you to please visit the site and see for yourself if you find their statements about the oaks to be believable.

The applicants claim to be respectful of the fragile riparian environment, yet they are planning to destroy a fair amount of the delicate hillside corridor. Has there been an adequate biological study to identify wildlife and/or endangered species that will be affected? Will the stream bed be altered? Has an independent hydrologist analyzed the plan? It appears that any reports have been prepared by the applicants – a clear conflict of interest. We have reason to believe the geology report was based on an earlier design, not the current one, which is huge potential concern. There is also a big concern about several multi-ton boulders identified in the building area that could be a potential hazard if they break loose during construction. One, at 25 tons, would do massive damage to the Meadows sewer line and the oak grove adjacent to the stream. We see no mention of these boulders in the current geology report. The county needs to ascertain the facts and not take the word of the builder when it comes to such an important decision for the community.

The proposed construction does not comply with the Altadena Hillside Management Ordinance that was added to the Altadena Community Standards District in December 2010. It does not preserve views and it does not balance the rights of the property owner with the larger interests of the community. It does not minimize visual and environmental impacts. It is not compatible in size and scale with the existing neighborhood.

The applicants state that parking off their lot will not be affected but traffic very likely will be greatly

affected. This is a potentially very serious safety issue for the 250+ households to the north for whom Canyon Crest Road is the only way in and out. The small area they identify as suitable for construction parking is in no way large enough or stable enough to hold heavy trucks, a crane, and massive amounts of building materials. Blocking one lane of Canyon Crest Road will be their option, and it is an unacceptable one. That narrow, winding road needs to have both lanes open at all times in case of fire or other emergency conditions.

If this construction is permitted, the only viable option is to have parking and staging occur at the end of Florecita Dr. where vehicles will be able to access the area without blocking or endangering local residents.

The website constructed by the applicants glorifies their project with the intent of obtaining approval. Please do not accept their statements on face value, but look for yourself at the reality of the situation. Unfortunately, what is pledged when seeking approval is often not what the reality becomes.

No one in the community has stated support for this construction. Indeed, before they purchased the property the applicants spoke with the resident two houses away who clearly told them the site is not suitable for building and no one in the community would support it.

Thank you very much for your consideration.

Shari and Nils Asplund
4511 El Prieto Rd.
Altadena

Kristina Kulczycki

From: Robert P. Thurstans [rpt@jpl.nasa.gov]
Sent: Tuesday, March 22, 2016 12:57 PM
To: Kristina Kulczycki
Subject: Fwd: RE: 3577 Canyon Crest Road

Hello Kristina,

I understand that you are the person I should address my opposition to proposed house at 3577 Canyon Crest Road.

I'm enclosing the letter I sent to the Altadena Town Council and wish to add that some of the members did in fact visit the site prior to their second vote on the subject. Those that did, changed their vote to disallow the construction.

I would also like to point out some notable misrepresentations in the request for this project.

1.) All photos and "wire frame mockups" from their proposal website show what appears to be a much smaller structure than the surrounding (protected?) Oak trees. This is clearly not the case when one places a balloon on a 30 foot line and sees it above the Oak canopy.

2.) The slope of the location of intended building is hidden by their choice of photos. (Which is why I suggested a site visit by the council members.) The actual slope and size of their structure will require a much larger retaining wall than is mentioned in their plans. This adds to my concern of potential damage to the roadway during and after construction.

As the only access to the Meadows, this is an extremely important roadway that cannot afford to be made unusable by damage caused in the building of an over-sized house on a hillside of such a large slope. We have already seen the impact of natural events such as the Station Fire and the floods that came after had on access to our homes in the Meadows above this proposed building area.

At the very least, I would like to request that a proper study be done of the exact requirements of the house and its impact on the hillside and the roadway prior to going forward with building permits.

Thank you,
Dr. Robert P. Thurstans
4477 Rising Hill Road
Altadena, CA 91001

-------- Forwarded Message --------
Subject:RE: 3577 Canyon Crest Road
Date: Tue, 15 Mar 2016 17:26:37 -0700
From: Robert P. Thurstans <rpt@jpl.nasa.gov>
To: Anne.Chomyn@altadenatowncouncil.org, anne.lansing@altadenatowncouncil.org, billy.malone@altadenatowncouncil.org, brent.musson@altadenatowncouncil.org, Damon.Hobdy@altadenatowncouncil.org, dean.cooper@altadenatowncouncil.org, Diane.Marcussen@altadenatowncouncil.org, gloria.sanvika@altadenatowncouncil.org, jennifer.lee@altadenatowncouncil.org, john.white@altadenatowncouncil.org, Judy.Matthews@altadenatowncouncil.org, Justin.robertson@altadenatowncouncil.org, michelle.martinez@altadenatowncouncil.org, Okorie.Ezieme@altadenatowncouncil.org,

Patricia.Sutherlen@altadenatowncouncil.org

15 March 2016

Dear Council Member,

I understand that you will be voting this evening on whether the request to build a house at 3577 Canyon Crest Road should be allowed.

As one of the hundreds of residents of the Meadows Community above this site, I have an issue with the safety of and access to my home both during and after construction of this dwelling and request that you deny this construction.

Have you visited the site yourselves? Are you aware that this is the ONLY access to the Meadows? I measured the road width at the telephone pole to be 20 feet with only 8 feet from the pole to a very steep drop (approximately 60 degrees).

With ongoing construction expected to take a year or more, traffic will be heavily impacted. The road will be limited to a single, narrow lane at best for most of the construction period. What are we to do if the road is so limited during a fire? The Station Fire is a prime example of how important such access is!

As for my concern after building such a house, I question whether our road way will be damaged by the heavy vehicles involved in construction. In particular by the machinery involved in pounding supports into the 60 degree slope to support the house. I have heard of many issues of damage caused to the surrounding buildings and roadways in the construction of the Gold Line.

Again, I ask that at the very least you examine the road and property prior to making an informed decision on your vote on this issue.

Thank you.

Dr. Robert P. Thurstans
4177 Rising Hill Road
Altadena, CA 91001

Kristina Kulczycki

Subject: FW: FW: Independent review of Canyon Crest Drive Project
Attachments: R2014-02411_Baer_Wilson_response.pdf; R2014-02411_Bjornlie_response.pdf

From: Stephen Kuhn [mailto:kuhn.s.r@gmail.com]
Sent: Tuesday, March 22, 2016 12:11 PM
To: Kristina Kulczycki
Subject: Re: FW: Independent review of Canyon Crest Drive Project

Kristina,

As requested, I am writing to clarify that the documents included in R2014-02411_responses.zip sent to you on 3/21/16 are intended to supersede and replace those sent in the zip file of the same name on 3/11/16, except where I note at the end of this email, for which the two attachments to this email are most current.

These documents were newly included in the 3/21 file, based on submittals received after 3/11:
R2014-02411_arborist_response.pdf
R2014-02411_Fabbro_response.pdf

This document was extended in the 3/21 file to address two additional submittals received after 3/11:
R2014-02411_Schoeman_response.pdf

These documents were extended to a minor extent in the 3/21 file to address information generated for R2014-02411_arborist_response.pdf:
R2014-02411_Lynch_response.pdf
R2014-02411_Hickman_response.pdf
R2014-02411_Randall_Kimble_response.pdf
R2014-02411_Desai_response.pdf

This document was unchanged:
_08_burden_of_proof.pdf

I also intend for the attached documents - R2014-02411_Baer_Wilson_response.pdf and R2014-02411_Bjornlie_response.pdf - to supersede and replace the documents of the same name included in the two zip files sent 3/11 and 3/21. It extends those letters to address submittals received after we had sent our responses on 3/21.

Regards,

Stephen

Burden of Proof

Per the Altadena CSD hillside amendment (http://planning.lacounty.gov/assets/upl/data/ord_altadena-csd-hm.pdf), our burden of proof is defined in Section C.2.b.ii, which says:

Applications for a minor conditional use permit shall include the information required by Section 22.56.215.D and shall substantiate the burden of proof required by Sections 22.56.090, 22.56.215.F.1.a. and 22.56.215.F.1.b

22.56.215
D. Additional Contents of Application. In addition to the material specified in Section 22.56.030, an application for a conditional use permit for hillside management or significant ecological areas shall contain the following information:

1.

In all applications:

a.

Panoramic or composite photographs from all major corners of the subject property and from major elevated points within the property; (SK: these were submitted in paper as part of ROAK T201400035 and can be found electronically on the CD for section 16. Per Nazar, additional copies are not needed.)

b.

Maps showing the existing topography of the subject property. Commercially available maps may be deemed acceptable:

i.

One copy of such map shall identify the locations of all drainage patterns, watercourses and any other physical features which are customarily found on topographical maps prepared by the United States Geological Survey. (SK: a full-size copy of the Record of Survey is included in the materials submitted, which contains two dotted lines annotated as FL. The dotted line spanning the trestle pipe denotes Millard Stream, a seasonal stream that runs 10+ months of the year. The other line is an open drainage channel into Millard, consisting of some rip-rap, originating in an 18"D culvert near the road. This channel acts as drainage/storm runoff for part of the property as well as a small area above it).

ii.

A second copy shall delineate all property having a natural slope of 25 to 49.99 percent, and a natural slope of 50 percent or more; (SK: this is included in the submission materials.)

c.

A grading plan to a scale satisfactory to the director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded; (SK: included in plans submitted).

d.

The following, if the construction of dwelling or other structures are part of the proposed project:

i.

Exterior elevation drawings, to a scale satisfactory to the director, indicating proposed building heights and major architectural features, and (SK: included in plans submitted).

ii.

Plans for decorative landscaping, showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. Such plan shall also include botanical and common names of all planting materials (SK: included in plans submitted).

2.

In hillside management areas, the following additional information:

a.

Geology and soil reports indicating active or potentially active faults at and near the proposed site and the stability of the area within the various slope categories used in this section, (SK: one paper copy submitted, also included in CD. Note that the report pre-dated final design of the house and used an earlier reference design. The recommendations remain valid for the final design, per our geotechnical engineers.)

b.

For proposed residential uses in areas identified as nonurban hillside management areas in the General Plan, the number of acres within the following slope categories, as determined by a licensed civil engineer, licensed land surveyor or a registered geologist:

i.

Zero to 24.99 percent natural slope, (SK: As derived from the slope density map: 0.19ac)

ii.

25 to 49.99 percent natural slope, (SK: As derived from the slope density map: 0.12ac)

iii.

50 percent or greater natural slope. (SK: As derived from the slope density map: 0.7ac)

3.

In significant ecological areas, the following additional information: (SK: N/A)

a.

Identification and location of the resources constituting the basis for classification of such area as a significant ecological area where not provided by the environmental assessment or the initial study for an environmental document;

b.

Proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use; Such other information as the planning director determines to be necessary for adequate evaluation. The planning director may waive one or more of the above items where he deems such item(s) to be unnecessary to process the application.

22.56.090

A. The hearing officer shall approve an application for a conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

1.

That the proposed use will be consistent with the adopted general plan for the area. Where no general plan has been adopted, this subsection shall not apply; (SK: no general plan for the area. Lot is zoned R1 and is situated amidst other sparse residential properties).

2.

That the requested use at the location proposed will not:

a.

Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

(SK: Residential development is consistent with the prevailing use of the area and will not alter health, peace, comfort or welfare of existing residents).

b.

Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

(SK: Project design elements are intended to minimize the visual and material impacts to neighbors. The design follows the slope of the terrain and folds the home in amid existing oak tree canopy, which already largely obscure neighboring views of Millard Canyon along the site lines to our home. Exterior finishes are proposed to blend in with the terrain, preserving the character of the space. The project does not alter the parking profile of Canyon Crest Road. It adds two spots and takes away one – on our lot and not in the road easement – and stacked parking would recover even that. Neither is it incompatible with the use of part of the lot by residents at 3589 Canyon Crest for parking, if not using their own driveway parking. Additional supporting information is provided at https://dl.dropboxusercontent.com/u/1354273/och/index.html

Fire- and seismic- resistant assemblies, along with a modern, natural aesthetic that folds the house in among its surroundings, will preserve the quality of the neighborhood. The

development is in compliance with all quantified provisions of the Altadena community standards).

c.

Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and (SK: Residential development is consistent with the prevailing use of the area and will not constitute a menace to the public health, safety or general welfare).

3.

That 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; and (SK: Standard setbacks are honored. In an attempt to preserve the character of the space and to minimize impacts to oak trees, the creation of yards with turf and fencing is not proposed. Indigenous, drought- and fire- resistant vegetation will be used. The project provisions for two off-street parking spaces.)

4.

That the proposed site is adequately served:

a.

By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (SK: Canyon Crest Road already services hundreds of residences from the Meadows neighborhood above. No additional appreciable strain will be put on this road.)

b.

By other public or private service facilities as are required.

(SK: Water and electricity is available at the street, and sewer is available per agreement with the DPW, from the main line immediately adjacent to the property. The home will not make use of gas, in order to minimize lateral impacts to the oak trees.)

B.

The hearing officer shall deny the application where the information submitted by the applicant and/or presented at public hearing fails to substantiate such findings to the satisfaction of the hearing officer.

22.56.215.F.1.a. and 22.56.215.F.1.b

F. Burden of Proof. The application for a conditional use permit-hillside management and significant ecological areas shall substantiate to the hearing officer the following facts:

1.

Hillside Management Areas.

a.

That 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, and

(SK: Quoting from the geotechnical report, "It is the finding of Irvine Geotechnical that construction of the proposed project is feasible from a geologic and soils engineering standpoint, provided the advice and recommendations contained in this report are included in the plans and are implemented during construction." Furthermore, "The analysis shows that the subject property and existing slopes are grossly stable with a factor of safety in excess of 1.5 under static conditions and in excess of 1.0 under seismic conditions. The calculations use the shear tests of samples believed to represent the weakest earth materials encountered during exploration. The cross section and geologic structure used are the most critical for the slopes analyzed."

Modern, fire-resistant exterior finishes are proposed to blend in with the terrain, and the project will remain shrouded to a large extent in oak tree canopy, preserving the character of the space. Indigenous, drought- and fire- resistant vegetation will be used to preserve and enhance slope stability).

b.

That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area

(SK: The project attempts to preserve the natural character of the space, by going to great lengths to preserve the existing oak trees to the extent feasible and use them to minimize the visual impact of the construction; by minimizing grading to preserve existing contours and the health of the oak tree roots; by echoing the contours of the existing grade in the design of the roof and outline of the house; by making use of exterior finishes that will blend with the terrain; by minimizing use of fences (as others on the street make extensive use of); by siting the project at the street with existing development well above the riparian environment of Millard Canyon; by designing a house of modest size (<1500sqft); and by orienting the major axis of the house orthogonal to the road, to minimize the visual footprint at the street. We intend to take good care of the more than 1 acre of the parcel, which includes a portion of the Millard streambed and riparian habitat, preserving it in its indigenous state. Additional supporting information is provided at https://dl.dropboxusercontent.com/u/1354273/och/index.html)

Kristina,

We have attempted to address inline the concerns that Randall and Wendy (hereafter RW) have brought up in their two separate letters, addressed serially below. We have tried to attribute professional opinion and photographic evidence wherever possible. We refer here to the supporting document available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to RW overlap with those of other neighbors.

We are the residents and owners of a property that is opposite the proposed development on Canyon Crest Road. We have had an opportunity to review the proposed project drawings, renderings, Oak Tree Report and Geologic Exploration and have many concerns regarding the appropriateness of the proposed structure.

Our overarching concerns are in respect to the design and massing of the proposed residence as it relates to the Altadena Development Standards for Hillside Management. Title 22, Section 22-44-127, which states, *"Intent and Purpose. The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts. The "CSD" is also established to minimize the visual and environmental impacts of development in hillside management areas."*

We note that one of the designers of the Altadena Community Standards District characterized this as the "anti-mansionization" provision (http://altadenaheritage.org/wp-content/uploads/2013/11/AH-Spring-2015-Newsletter.pdf): "We meddled very little with existing "anti-mansionization" setbacks — the "light, air, and privacy" provision — even though many residents feel they are too restrictive." Our home is of modest size, and we will subsequently address concerns about protecting the light, air and privacy of existing residences. We note that our design is fully compliant with the quantified provisions of the Altadena CSD that attempt to enforce this aim.

In the applicant's drawings, the proposed residence is described as a 2 story structure. Contrary to this description, the cross sections clearly reflect 4 distinct levels; consisting of the entry and garage level, the main living level, an office area below the main living area and a loft space above the garage that appears to have the potential to be used as living and/or office space.

The characterization of the home as "four story" is potentially misleading. It is accurately no more than two stories above grade, over any part of its footprint, and contains livable square footage on only two stories. Nearly all of the square footage is below street grade, with only the garage/loft at or above street level. The number of levels is driven by our desire to reduce impacts to the oak trees already present, and to minimize visual impacts. This forces the footprint of the house to extend down the hillside, which results in a tiered design. If we were to remove the lowest of these levels, the shell of our home would remain unchanged. The east elevation has a maximum height of ~31ft above grade, but its average height is ~22-24ft above street grade.

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own (which will be shrouded to a significant extent in oak tree canopy) exist within the 300ft radius - at 3556 Canyon Crest and 3535 Canyon Ridge (support-7 and support-18).

These appear to have street-facing facades with equal or greater average height to our own, and 3535 Canyon Ridge appears to have an equal or greater maximum height.

We note that a similarly hilly site resulted in a 4+ story layout on 1232 Rubio Vista Rd, Altadena (support-30), among just those Altadena residences for sale in the recent past.

The grade to ridge height at the north end of the east elevation (street view) is noted to be 31'-2-1/2". This proposed height is four-times the height of the modest single story residence directly to the north. The over-scale of the massing of this proposed structure is grossly inconsistent with the homes in the direct vicinity of the proposal as well as with the aforementioned "*CSD*".

This characterization of our east (street-facing) elevation as 31'2-1/2" above grade does not portray the extent to which this is an apex of a much lower average elevation. The east wall of our home is an average of ~22-24ft above street grade, depending on the referent. At the SE corner of this wall, it tapers to ~15-17ft above street grade. Oak tree canopy will obscure the upper edge of this wall, as seen from the street and other residences, including RW's. We refer subsequently to renderings that portray this.

We note that the mean square footage of the 19 residences within the 300ft minor CUP mailing radius to be 2,047sqft, per the LA County Department of Regional Planning (DRP) GIS information (support-29). Depending on whether the loft is counted in square footage (and given that it is unconditioned storage space that extends the utility of our garage, Building and Safety agrees it should not be), our house is either ~1500sqft or ~1700sqft. The Gross Structural Area allowed on our 44390sqft lot without a CUP by the Altadena CSD is 9000sqft, per 22.44.127.D.1.b.iii. Even if we were to count our attached garage this would be less than 25% of the square footage permitted to us.

As previously mentioned, two examples of homes with 2.5 or 3 story facades facing the street exist within the 300ft radius of the minor CUP mailers.

We believe our design is consistent with the variety in size and scale of the eclectic group of existing residences in the lower Canyon Crest area.

Our residence, at 3588 Canyon Crest Road, sits approximately 14 feet above street level and the roof height of our single story home is approximately 13 feet. If the applicants project is built as proposed (with the second story loft space above the garage), the height at the NE peak will, in fact, be approximately 4 feet higher than the top of our home--even with our elevated siting. We think this design is hugely over-scaled for the neighborhood and that the NE ridge and the large descending masses on the southerly and westerly planes will significantly block our light and view of the canyon that we treasure and enjoy.

Existing views of the canyon are already blocked by oak tree canopy, which will continue to shroud the house, and by geometry, and by their own vegetation.

We have included views from those neighbors' homes that have any sight line at all to the property (support-13 to 19). In support-13 and 14, we portray the views from RW's house along the site lines to our home before and after construction. No canyon view is occluded, nor is there any occlusion of the solar ephemeris by our home of RW's home. The ephemeris is at most ~23deg S of W at sunset on the winter solstice, which misses the glazing at the SW corner of RW's home (support-33). Our home – including the NE corner - inhabits a pocket of oak tree canopy and will remain largely shrouded by it from the viewpoint of their house. Even if we accept RW's claims as accurate, they acknowledge a comparable max height above street grade (and a higher average height above street grade) of their own home, which is set back a similar distance from the road compared to our own.

We have also included pictures (support-8 to 12) that portray the extent to which the eye-level view is obstructed on Canyon Crest when driving along it in both a northerly and southerly direction. The pictures portray what portion of the canyon is presently visible and the limited extent to which we will be reducing views of the canyon.

The applicant has provided architectural renderings of the proposed home and the surrounding trees which appear to be inconsistent with the conditions as represented in their cross section and elevation drawings. We strongly recommend the county verify the actual tree and canopy heights in relation to the proposed building heights.

Our wireframe renderings and support material are derived directly from exact digital representations of the home and surveyed features, localized in the images against those visible features.

In addition, while the square footage of the livable area of the home appears modest, when the volume of the spaces are considered, the impact of this structure would be a significant visual obstruction and negatively affect many neighbors privacy, natural light and views.

We refer again to support-13 to 19.

We also have serious concerns regarding the impact to the stand of mature protected oak trees fronting the roadway. It would be a huge loss to the character of this natural stretch of the canyon should these trees suffer due to the extensive excavation and destructive construction work as described in the provided Geologic and Soils Engineering Exploration.

Our 15cy of cut is two orders of magnitude below the 2,500cy trigger for review per the Altadena CSD hillside management guidelines, 22.44.127.C.2.c.i, and our oak tree report addresses the construction required for the home.

The provided Oak Tree Report addresses the driveway, piles and retaining wall impacts on the protected trees but fails to take into consideration the excavation required for other items such as the *Grade Beams* or the *Footing* for the retaining wall.

Grade beams require little disturbance to the existing grade in spanning the piles. We wish to clarify that no retaining wall is present, save the below grade wall of the home itself. There are no footings save the grade beams, which have a minimal effect on the excavation volume and are an integral part of it, and as such are covered by the oak tree report.

It is critical that these items be included in the report in order to accurately reflect the overall impact to the root zones of these protected trees. We strongly request the county to require the *Foundation Plan* be submitted by the applicant for full review and evaluation.

This is portrayed in the architectural sections of our home. This shows the pile locations at the vertices of the house and grade beams spanning them.

In addition, we would like to bring to the attention of the Department of Public Works two areas that will be affected if this project is approved.

The 18"drainage culvert that crosses under Canyon Crest Road traverses the applicant's property and currently descends Millard Canyon to the stream bed below. We request that the Department be intimately involved in any proposed modifications to this drainage flow and the possible impact any diversion would have on the surrounding neighboring properties as well as to Canyon Crest Road.

Our neighbors John and Michiko Lynch at 3589 Canyon Crest posted helpful videos that accurately portray the extent to which the flow of water is constrained by the capacity of the 18"D culvert:

https://youtu.be/zIbsC2iOQ08
https://youtu.be/Iy04ZghEDCM

The flow can be seen to be on the order of 1ft or less deep in the channel and is not concerning. The corner of our foundation will be situated on a pile founded in bedrock, connected to a reinforced concrete grade beam, supporting a reinforced concrete wall (which in turn is tied into a reinforced concrete garage floor). Our civil engineer has no concern with the stability or erosional characteristics of the home on this foundation corner.

A corner of the foundation slightly encroaches on the existing riprap channel. Flow will be re-routed laterally in the open channel by ~4-5ft (compare support-1 and support-2) around the corner of the house, which does not affect the culvert. In essence we will adjust the location of the channel slightly, which in its natural course takes several similar bends. We have been in communication with the DPW regarding this culvert and open drainage channel, and will preserve it to their satisfaction. This assessment includes a standard hydrology study.

Water will not divert onto adjacent properties during a storm, save that the natural path of the drainage channel already leaves our property and enters 5830-003-017, before exhausting into the canyon on 5830-004-900. Our slight modification of this path upstream and 10-15ft from the property edge - which will not throttle flow - will have no impact to the drainage across either property or the Millard wildlife corridor below, nor can it have any possible impact to the flow under Canyon Crest through the culvert, being more than 10ft in elevation below the level of the culvert.

There is a major sewage line that serves the 250+ homes located in The Meadows that either crosses this property or comes very close to it. The applicants design drawings only show this as an unrecorded sewer siphon easement. Public Works should be aware of this line and be involved in ensuring its protection should any construction ever be approved for this or the adjacent property.

The sewer siphon has a 10ft easement as noted on the site plan, and the edge of the nearest pile will be ~5ft from the edge of this easement. Access to service this sewer will remain to the stated satisfaction of the DPW sewer maintenance division, who has reviewed our site plan.

Based on these stated concerns, we are **opposed** to the granting of a Minor CUP for the applicant.

We wish to extend our appreciation to the County of Los Angeles staff for your thorough consideration regarding the complexities of this project. We look to all the County agencies involved to assure the protection of our precious natural habitat, wildlife corridors, protected trees and unique character of the Canyon Crest neighborhood.

Sincerely,

Randall Baer and Wendy Wilson

3588 Canyon Crest Road
Altadena, CA 91001
Assessor's Parcel: 5830-008-006

Below we address the second letter.

When the Altadena Community Standards District Additional Development Standards for Hillside Management were adapted in November 2010, they were adapted for a reason. For years, Altadena residents had been trying to protect their local canyons from the type of hillside development that was plaguing so many other areas of Los Angeles County.

The first paragraph of this ordinance states that its intent and purpose is to "ensure that new and expanded structures are compatible in size and scale with the surrounding residential neighborhoods." This one sentence is a distillation of all their work and exemplifies how important this topic was to all those who participated.

As we note on our website, "the Altadena CSD tightens the parameters laid out in county code in order to protect the light, air and privacy of adjacent residences, and we are fully compliant with those tightened rules. If we were not compliant with the Altadena CSD rules, we would need to obtain a separate "full" CUP and/or variance with discretionary approval.

We believe the CSD codifies its purpose, and then lays out verifiable rules to satisfy that purpose, tightening county codes to craft a definition of responsible development. It would be difficult to adhere to building regulations if they were not quantified, or if they were expressed relative to adjacent properties. Instead, it tightens key building parameters, and if different thresholds had been adopted to enforce responsibility, it would have been reflected in our design.

A nice summary article was written by the Pasadena Star news at the time the CSD supplement was adopted: http://www.pasadenastarnews.com/article/ZZ/20100801/NEWS/100809045. Some key proponents of the Hillside Supplement clarify part of their motivation with the statements that "a few large homes were built on top of an existing hiking trail and 'stuck out of the ridgeline like sore thumbs,'" and that "we wanted to keep any surprise development from happening."

Our home is the antithesis of these widely visible and insensitive ridgeline houses. It is shrouded in oak tree canopy and visible only over a short segment of Canyon Crest Road, and to a limited extent from some Canyon Dell residences. It is not in close proximity to any of the prominent ridgelines, the protection of which is the core of the supplement's purpose. Examples of some of the homes the supplement authors found objectionable are portrayed in an interview with one of the authors here: http://sgvtribune.mycapture.com/mycapture/folder.asp?event=1050635&CategoryID=33035

This document addresses issues that, each and of themselves, I feel is sufficient to require a design modification of this project, if not a complete denial of the requested building permit.

Exhibit 1:
These photographs show the comparative building heights of the four adjoining homes on Canyon Crest Road:

3589 Canyon Crest Road, has height of ~ 8-10' above grade. (Built in 1949)

3617 Canyon Crest Road, has a height of ~16'. (Built in 1910)

3637 Canyon Crest Road has a height of ~ 12'. (Built in 1940)

3665 Canyon Crest Road has a height of ~11' above grade. (Built in 1922)

It appears that RW are referring to height above "street grade," not height above grade. 3617 Canyon Crest listed above is actually a 2-story home, with a story below street grade notched into a slope similarly steep to our own (barely visible in upper right of support-21). If 16ft is the height above street grade, and assuming the 2ft topographic lines of the DRP GIS interface are roughly accurate (support-28), then the NW corner of 3617 Canyon Crest is at least 10ft below street grade where it meets the grade, for a max height above grade in excess of 16'. 3737 Canyon Crest (lower right of support-21, the fifth home along the west edge of Canyon Crest) is also not included in this list, presumably because it too is a very distinctive home, as are many of the homes in lower Canyon Crest, including the contemporary home sited on the massive native granite cobble foundations of a lovely Craftsman mansion that burned down in 1935, with huge boulders spanning the entryway: http://www.altadenahistoricalsociety.org/assets/boulder-crest.pdf. It is an eclectic community.

All of these homes are single story and were built upon reasonably level lots. Their low rooflines allow neighbors across the road an unimpeded view of the canyon hillside beyond.

The lots are level today because each were re-graded with hundreds or thousands of cubic yards of cut and fill of the hillside when the road and lots came into being in their modern form, as another neighbor alludes to with his characterization that "The only flat area on the proposed site consists of fill that was originally dumped during the construction of our home sometime before 1949." No doubt this was more traumatic to whatever trees and other flora may have existed on site at the time, as compared to the methods of construction for our home. 3617 (which is a 2-story home) and 3737 Canyon Crest still reflect these origins in their siting, and all the homes on the west side of Canyon Crest drop away steeply at their western edges (support-28).

With a peak height of ~32 feet at the NE corner, the proposed building at 3577 Canyon Crest Road would be twice the height of the tallest home on the west side of Canyon Crest and nearly 4 times the height of the closest neighbor. A roofline of this height, especially a roofline that is predicated on encompassing a 22' loft over a garage, is excessive and does not meet the desire of the Community Standards District Ordinance to be "compatible in size and scale…".

RW confine the scope of their statements to the homes on the west side of the canyon, which seems to us somewhat arbitrary. As mentioned previously, RW's home across the street from ours at a comparable setback contains a similar maximum elevation above street grade compared to our own, and a higher average elevation above street grade. The house two lots to the S at 3556 Canyon Crest has a 2.5-story façade (support-7 and support-18), with similar average height above grade and a higher maximum height above street grade. The house two lots to the E at 3535 Canyon Ridge presents a 3-story façade with greater average and maximum height above grade, and is another example of the sort of iconic, unique home that make Altadena and lower Canyon Crest distinctive.

Exhibit 2:
The architect's model depicts the overall massing of the proposal, which is required by code to be only 2-stories in height. The applicant's architectural drawings depict four distinct stories and, if allowed, the building will have an overall height of ~62 feet from the lowest south west corner to the highest north east peak. While legally staying within the 35-foot-high building code requirement, the massing of the project is effectively the visual equivalent of a 6 story building.

In the same way that RW were not aware of the descending nature of the lower story of 3617 Canyon Crest, or choose not to find it objectionable, it is important to consider the extent to which the majority of the volume of our home descends below street grade. At the peak elevation above grade of our home – at its SW corner – the elevation of the roofline above street grade is only 2-4feet, a lower height above street grade than even the single story residences to the north. We believe the responsible development

of our lot logically leads to a split-level design that minimizes excavation and descends the slope of the hill, to minimize impacts to neighbors, sightlines, and the oak trees we all want to preserve to the greatest extent possible.

I dispute the applicant's argument that this proposal meets the qualification of being a 2 story home. The classification of their loft structure as a garage is merely an attempt to bypass code restrictions. The loft area is clearly depicted in the architectural drawings as having workstations and computers.

The latest drawings we submitted to our planner on 3/17/16 and to our Building & Safety plan checker (which reflect a change we made to our design based on neighbor feedback) remove the architectural conceit of any built-in work benches in our loft. While we do intend to use this area for some projects, it is not an office, nor is it permitted by health regulations to have livable square footage share the same ventilation as the garage, to which our loft is open.

The applicants have admitted in public hearings that they intend to use it as a work area and not for storage.

We expect there is some misunderstanding, as we have long claimed on our website (and stated at Altadena Town Council meetings), that "We have a DIY mindset and hope to use the loft as workspace and storage without needing to move our cars outside the garage. We are sensitive to the desire our neighbors have expressed for maintaining existing shoulder parking on our lot." Many people in Altadena and the Meadows (including us, presently) are able to use their garage as storage and park their cars in their driveway or along the street, but that's not really an option for us in our new home. We have tried to preserve existing parking at the street to the extent possible.

A garage that is considered "compatible" with its single-story neighbors does not need a 22' loft area above it.

We believe it is inaccurate to reduce the dimensions of our home to a single figure. While it is true that when considering joist dimensions and elevations correctly the distance between floor and ceiling is 18-19ft at the NE corner of our loft, it reduces to nearly head height at the SE corner and NW corner, as our roof echoes the grade lower.

When RW first contacted us on 3/12/16 to initiate a discussion regarding the height of this corner of our home, we tried to respond in detail the next day with this statement:

"The height above street grade of the peak elevation of our home was one of the concerns that some neighbors voiced, and so we tried to think about this and address it on our website. Specifically, we looked at the aesthetics and engineering of reducing the height of the NE corner of our home. There are three ways of doing this:

1. The roofline retains its current shape, but the roof elevation is reduced.
2. The highest roof facet remains a quadrilateral, but the three other points that define the plane are altered. Those vertices are NW, SW and SE.
3. The highest roof facet is rendered into two triangles, decoupling the SW vertex.

In our design, we immediately constrain the NW vertex at the code-minimum headroom at the middle of the loft stairwell. This means 1 isn't really viable, unless we change floor elevations by excavating more i.e. we already saturated at a design constraint. The SE vertex is also constrained in that we wish to preserve headroom in our loft, to keep the space usable as a work area and for storage, so we can park our cars in our garage and preserve other parking spaces for guests and neighbors, also a concern that was voiced. If we pin the NW and SE vertex, the only way to reduce the height of the NE corner is to

increase the height of the SW corner, which would drive a more extreme (even than the existing ~16:12) pitch on the adjacent roof facet. So, 2 isn't really viable either, beyond a very marginal gain. We show what 3 looks like on our website. It would change some of the structural design, and we think it begins to compromise the aesthetics of our home. The line of the E face of our home echoes the grade (a central design principle), and we find that beautiful, where a flattened roofline is not. And these changes don't appear to make any difference to any neighboring views of the canyon, as we attempt to portray on our website.

Any home on our site will be visible from neighboring residences, but we tried to take care to soften the visual impact of our home and its roofline by preserving oak tree canopy. The canopy of the three trees nearest the street will not be trimmed, and these trees are encroached only by a permeable driveway. We expect the loft window to mostly be obscured by this canopy."

The intentions of the Community Standards District conditions are not being adhered to and I request that the design be modified to meet them.

I also have concerns about the safety of locating a metal structure in such close proximity to the Southern California Edison 4.16 Kv high voltage lines that adjoin the property. The ~32' roof height will be within the arcing zone of these lines during construction and poses an additional hazard to workers, equipment and the homes supplied by these power lines.

These high voltage lines are those located above all tree canopy ~50ft above street grade (the wireframe of support-14 portrays the pole as 50ft high). The projection at grade of these lines also exists at the edge of our property, not over the footprint of our home. It does not appear that a distance of more than 30ft (20ft vertically and more than 25ft horizontally) at the NE corner of our home is within the arcing zone of these wires. We refer to OSHA guidelines (http://www.usbr.gov/ssle/safety/RSHS/sec12.pdf) in which it is shown that the Limited Approach Boundary for ranges of potential from 751 to 15kV is 10ft-0in for Exposed Movable Conductors, consistent with the extent of pruning of our trees around these lines – and encroaching not at all on our construction activities. The Restricted Approach Boundary, beyond which protective equipment is required and arcing becomes more likely, is listed as 2'2" for this range of potential.

Exhibit 3:
This section addresses the Hillside Management Area code intent that "all areas with a natural slope of 25% or greater remain in a natural state". For over 100 years this piece of land has remained in its natural state because it has been considered too steep to build upon. With the enactment of the 2010 Hillside Ordinance this belief was made even more resolute with the insertion of the statement, "to remain in a natural state". While I acknowledge that the applicants have a right to own their property, I dispute that they automatically have a right to build whatever they like upon their property.

Many of our neighbors have been willing to interpret the intent and authority of the Altadena CSD and CUP process, in a way that we believe to reflect some misunderstanding. As the Department of Regional Planning clarifies here: http://planning.lacounty.gov/faq/cup/, "A Conditional Use Permit (CUP) is required for certain land uses which may need special conditions to ensure compatibility with surrounding land uses." Noting that ours is a minor CUP application, denoting lesser potential impacts, it can still be said that triggering the CUP process does not mean that a project should be forbidden, or denied. Rather, it is a sensible mechanism to ensure that care is taken to engage the community, solicit feedback, evaluate that feedback, and consider appropriate conditions, as our Town Council members and planners have recommended.

The lot at 3577 Canyon Crest Road has a measured slope of 100%. This property is not a mere 1 or 2% steeper than the intent of the ordinance. it is 400% steeper than the stated desire of the ordinance and thus, should remain in its natural state.

Again, this threshold is one of sensitivity – that any project with construction on or grading of a slope more than 25% requires review and consideration of appropriate conditions, and we agree completely that this is so.

Previous owners have attempted to erect structures on this lot and have been prohibited from doing so by the county. This proposal is much the same as those prior attempts, albeit more highly engineered and better funded.

We are unaware of any prior attempts to develop our lot, nor were these efforts likely to be similar to our own.

To the best of my knowledge, there is not a single home in this area of Altadena that descends down into Millard Canyon as this proposed project will do.

Neglecting the cabins in upper Millard Canyon, the only homes that have any frontage on the canyon are the five homes along the W edge of Canyon Crest, a portion of Canyon Dell in the Meadows, and portions of the Florecita Farms neighborhood to the SW of our home.

Even among this limited set, our home is neither closest to the streambed vertically or horizontally, nor does it descend deepest into the canyon below street grade.

In support-28 we show a topo overlay of the canyon in 2ft increments, per the DRP GIS, along with measurements to the Millard creek GIS overlay (the south-most line segment attached to each house), and where we believe the true path of the stream to be (the north-most). This shows several things in relation to the five existing houses on the west (canyon) side of Canyon Crest:

1. The minimum lateral distance between our home and the streambed section on our property is among the farthest of these houses. The edge of 3671 Canyon Crest is ~112ft laterally from the edge of the streambed, compared to our ~213ft. We believe the minimum distance to be ~102ft, at 3737 Canyon Crest.
2. The lowest footing elevation of our home is nearly twice as high above the streambed as the edge of 3737 Canyon Crest, the footings of which are at most ~60ft above the streambed and likely less. Our survey shows that our lowest footing is (1315-1214=101ft) above the streambed, consistent with the GIS data.
3. The elevation difference from street level to the lowest footing of our house is (1344-1315=29ft), less than the at least 32ft difference at 3737 Canyon Crest.

All of the nearby homes were built on level lots between Canyon Crest Road and the edge of Millard Canyon. Allowing a new building to be constructed below the canyons edge will be a dangerous precedent that would be contrary to the intent of the Altadena Hillside Ordinance. It would also be contrary to the intent that any "first view" of a canyon area be protected for the public enjoyment.

We have earlier addressed the grading that had to occur to make existing homes' lots level. Every application for new development is evaluated on the basis of its own unique circumstances and constraints. Every person who has written in opposition has had and will have the opportunity to keep all existing open spaces as they are. We encourage anybody who wants to prevent residential lots from

being improved for their zoned purpose to purchase the few vacant lots that remain, some of which are or have been for sale in the recent past, as ours was.

Views into the canyon will remain from either side of the power pole at the edge of our property.

Exhibits 4-4.1
I dispute the applicant's assurances that the trees in this designated Oak Woodland will not be damaged during the construction process.

We will adhere to the mitigation measures in our oak tree report to limit the impacts of our construction activities on our oak trees.

Their entire project is predicated upon being able to stage all of the machinery necessary for drilling caissons and pouring grade beams as well as all building materials needed for construction on a "pad" underneath 6 mature oak trees. Analysis of this pad area was intentionally avoided during the applicant's geological survey for fear of damaging the root systems of these trees. The "pad" consists entirely of leaf and wood mulch that was dumped there by the previous owners of the property. It ranges from several inches in depth at roadside to more than 30 inches in depth at trees #7 and #8 at the canyon's edge.

Numerous regional and state oak woodlands management reports advise against disturbing the root zones of these trees for fear of permanent damage. Placing a layer of plywood over this layer of mulch and using it as a parking area for drilling rigs, dump trucks, concrete deliveries, building materials and employee parking for up to one year is in direct conflict with the mandate to not disturb the root zones of these trees.

On our website we provided a video of the type of limited access drill we will use for our piles. We also note that based on our architect's extensive prior experience, we expect drilling to be about a week's work. Dump trucks will not be used on our site. As is conventional on any construction site, spoil can be removed with standard 5 or 10 yard dumpsters that are no more than a few feet high, and the excavation from the notching of the hillside will be balanced on site. The loads from any staged equipment will be distributed with plywood in the protected zone of our oak trees, per oak tree report mitigation measure #6. The plywood distributes the ground pressure to the more customary tire point loads of our neighbor's 2-ton truck, which the pad has experienced for 10 years. This period of excavation and concrete work are expected by our architect to take a couple months, not a year. Once our main level and garage is cast, we will have an additional ~1000sf of area to stage building materials off of the unimproved ground in the protected zones of our oak trees. It is after this point that most deliveries – framing lumber, sheathing, drywall, cladding, roofing, windows and doors, etc. - will be made.

I am concerned about the applicant's possible intent to use the trunks of these oak trees as safety anchors should construction be approved. The 45^0 slope is steep enough to require Cal OSHA mandated safety ropes and harnesses. OSHA also requires secondary anchors which would require drilling into the root zone of the oak grove above. The use of the under-canopy "pad" area for any of these purposes is contrary to the recommended oak woodlands protection standards.

We have no intention of using our oak trunks as safety anchors. RW provide no citation for the claim that working on a 45deg slope (which can be and is benched in places to allow passage) requires a harness. The OSHA regulations governing fall protection (https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10757) do not levy any requirements on work on a 45-degree slope. OSHA regulations related to sloping and

benching (https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10932) are meant to protect against cave-in during excavation. Our architect has worked on similarly steep slopes in Los Angeles without harnesses, and we traverse the slope without need.

I also question the accuracy of the current architectural drawings which indicate that the garage level is at 1346', the same elevation as Canyon Crest Road. From reviewing these drawings, it appears that the depth of the mulch layer has not been taken into consideration with this design and brings into question the applicant's plan to construct a driveway and garage entrance ramp upon this material. The Oak Tree Management Report is clear in its recommendation that this root zone not be impacted by grading, filling or paving; all of which would be necessary if the applicant's current plans are approved.

Our architectural drawings reflect the surveyed grade, which we do not intend to change over the footprint of the driveway, which is just a thin layer of permeable gravel. Per our latest architectural submissions to our planner, there is no concrete work outside the footprint of the home.

Exhibit 5:
The applicant's Burden of Proof statements do not address the large, granite boulder that is located within the proposed foundation grade beam zone. At an estimated 50,000 lbs., this boulder poses a substantial risk should it break loose and tumble into the canyon below. If such a catastrophe were to happen there is an expectation that the sewer line that serves the 250 homes in The Meadows area would be severely impacted and raw sewage would flow into the Millard Canyon blue line stream. This is an area that needs to be assessed in much deeper detail than has currently been addressed by the Los Angeles County Department of Public Works.

The boulder has been surveyed and will not be removed. In fact, portions of our grade beams will hug it, enhancing its stability in order to reduce or eliminate the risk that RW describe. We also note that even if the boulder were to become dislodged, despite the support of most of its extent below grade and its ability to withstand the Northridge quake of 1994 and all other strong earthquakes stretching back thousands of years, its path downhill would leave our property and intersect the streambed more than 50ft distant from the exposed trestle of the sewer line (see topo on support-1).

The applicants have waged a concerted public relations effort via their webpage and the information contained within it. A majority of the Altadena Town Council members appear to have drawn their information from this site rather than from physical visitation to the property in question. There are multiple discrepancies posted on this website that have served to distort disputed points.

We have attempted to address all points of misunderstanding in RW's comments. We stand by the material in our website as accurate and hope to continue to address concerns and welcome feedback.

Of the five known members of the council who have visited the site, all five have voted against its approval.

We spoke with many town council members both for and against our project after they voted on 3/15/16, and all claimed to have visited the site. Councilwoman Anne Chomyn voted to recommend approval of our project, and stated that she had visited the site three times. We believe RW's statement is a reflection of the fact that our opposition met with these five council members on the site – as several noted in their comments both publicly during the proceedings, and privately after the vote. We believe it would have been proper for these members to speak with us on site as well, to weigh the merits of both sides and allow us to address the many questions that surfaced during the discussion period of their deliberation. Other than discussing logistics of our presentation with councilman Hobdy, we did not

speak with any town council members about our home outside of our presentations to them on 10/6/15, 3/2/16 and 3/15/16, on site or otherwise.

The 3D models and wireframe renderings, while picturesque, are under scale and misrepresent the true size of the proposed project. Actual site measurements, when overlaid these renderings, depict a project that is 1/3rd larger than depicted. While the applicants repeatedly state that the existing oak tree canopy will shield their building from public view, site measurements show that the ~32' loft peak will be nearly as tall as the tree canopy.

It is true that from the short distance of the more photo-realistic rendering, it can be difficult to scale, much less in a panoramic projection, and the rendering is not meant to be a perfect portrayal of final conditions. It was augmented with wireframe renderings from neighboring residences. These wireframe overlays are derived directly from the digital model used to generate elevations, and from these greater distances we were able to scale our home to the surveyed features visible in the terrain (oak trees, power pole, pavement and wall boundaries, etc).

The applicants repeatedly state that they have always been open to input and have actively solicited comments from neighbors and the community. Plans and models were first presented to us on July 25, 2015. My very first email response to the Planning Department questioned the suitability of this proposal and was dated July 29, 2015. Subsequent documents, provided by the applicant and the county, indicate that this design had been finalized and approved by various departments several weeks before the July 25th unveiling.

These documents were a necessary step of our hearing process. We are on our first or second round of plan check submittals with all DPW departments, in our attempt to ensure that we fully understand all engineering constraints and can accurately represent them at our hearing, but we have made changes very recently, in response to neighbor feedback. On 3/17/16 we sent revised floor plans that portray the alteration of our entryway to minimize the extent of concrete work in the vicinity of oak tree #7 and the protected zone of other trees. While this reduces the depth of our garage to the minimum modern standard, we felt this compromise was a superior choice both aesthetically and for our trees.

The applicants have also stated at public hearings that any changes to the design at this time would be costly and time consuming.

Much effort and care has been applied in the analysis that our design is sound, and it is true that changes now are more costly than they would have been had RW engaged us when we first asked for their feedback in July of 2015. The first contact we received from RW attempting to engage us constructively to change a feature of our home was received on 3/12/16. We have earlier included the description we sent to them of the rationale for the height of the NE corner of our home, and we offered to meet to discuss the matter further.

We have been presenting our objections to the suitability of building on this hillside lot as well as the overall height of the roofline since July of last year. These objections clearly contrast with the applicants' statements that they have always been open to suggestions regarding design change.

We are unaware of any specific suggestions that RW may have offered to us at any point prior to 3/12/16. We heard one of either Randall or Wendy speak at the three Altadena Town Council meetings, but their statements focused on arguments for why no home should be built on our site. We were unable to derive feedback we could act on from these statements, in contrast to those they made to us on 3/12/16, which we attempted to address in detail.

From all appearances, this design was locked in by July 25, 2015 and that there was never any intent to modify the design subsequent to neighborhood input.

We have earlier addressed that we have made changes to our home design in the recent past, which we also described in some detail in our presentations at the Altadena Town Council meetings on 3/2/16 and 3/15/16.

I respectfully ask that you reject the proposed project as not adhering to the intent of the 2010 Altadena Community Standards District Hillside Ordinance.

If, the decision of the hearing officer is contrary to my objections, I then request that the applicants be required to come up with an alternate design that more closely meets the intent of the Altadena Community Standards District Hillside Ordinance, is smaller in scale, and is more compatible with the heights of the neighboring homes.

We have earlier addressed that we have designed a home with less than 25% the square footage permitted to us in the Altadena CSD, which is more than 500sqft smaller than the average residence within 300ft, and that complies with all quantified county and Altadena CSD rules. We have tried to pursue the design we believe is best suited to our lot.

Respectfully,

Randall Baer
3588 Canyon Crest Road

We hope we have addressed the concerns of Randall and Wendy. We regret that they did not bring these concerns to us prior to forming their opinions, as we had invited them to by letter, and over email exchange. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

Kristina,

We have attempted to address inline the concerns that Kara has brought up in her two letters, addressed serially below. We have tried to attribute professional opinion and photographic evidence where possible. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to Kara overlap with those of other neighbors.

I am writing you to let you know of my opposition to the proposed development at 3577 Canyon Crest in Altadena.
From the materials presented by the applicant and examination of the actual on-site situation, I am concerned that the proposed structure is not compliant with the Altadena Community Standards intent and purpose.

Our home fully conforms to the quantified standards laid out in the LA County code and Altadena Community Standards District, including those of zoning, height above grade, stories above grade, setback and square footage. We will address subsequently the qualitative interpretation of the CSD.

The structure is not compatible in size/scale nor characteristics of the surrounding residences. It would block light, flow of air and privacy for at least 2 adjacent residences. The house adjacent to the north rises approx. 6' from the street grade and the proposed would rise approx. 31' above the grade. This is inconsistent with size, scale and characteristics.

The home adjacent to the north (3589 Canyon Crest) is not representative of the size and scale of the average surrounding residences. The mean square footage of the 19 residences within the 300ft minor CUP mailing radius is 2,047sqft, per the LA County Department of Regional Planning (DRP) GIS information (support-29). Depending on whether our loft is counted in square footage (and given that it is unconditioned storage space that extends the utility of our garage, Building and Safety agrees it should not be), our house is either ~1500sqft or ~1700sqft.

The east wall of our home is an average of ~22-24ft above street grade, depending on the referent. At the SE corner of this wall, it tapers to 15-17ft above street grade. Oak tree canopy will obscure the upper edge of this wall, as seen from the street and other residences.

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own exist within the 300ft radius - at 3556 Canyon Crest and 3535 Canyon Ridge (support-7). These appear to have street-facing facades with equal or greater average height to our own, and 3535 Canyon Ridge appears to have an equal or greater maximum height. In addition, there are homes on Canyon Crest on upslope lots that are setback from the road a similar extent to our own and which have comparable heights above street grade.

The proposed structure is said to have no windows on the side of the building facing these neighbors but the tall blank wall will definitely have an impact on light and the way these neighbors feel and live in their home.

Our home will not cast any shadow on 3589 Canyon Crest, and will exist in a volume already inhabited by oak tree canopy, much of which will remain after construction along the sight lines from their patio. They have only limited southerly glazing, across their carport.

The house across the street is one my husband and I looked at buying, so we know it's a pretty dark house with the oak canopy in the back yard and dense canopy along Canyon Crest. The proposed

structure will block the little afternoon light they get and views out into the canyon for these homeowners.

Oak tree canopy already blocks much of the light across the volume our home will inhabit. From the fall to the spring equinox when the sun sets S of W, the volume of our home would not cast a shadow across any other house (support-33). From the spring to the fall equinox when the sun sets N of W, at sunset the volume of our home would cast a shadow across part of 3566 Canyon Crest. However, the distance between our home and 3566 Canyon Crest is ~85ft. The tangent created by the maximum height of our home and this distance is equivalent to the tangent of a ~10ft high home at 30ft distance. 30ft is the offset between homes with the most conservative side yard setback in the Altadena CSD (15ft). For any home in Altadena situated on an E-W oriented road, this side yard setback determines the extent of occlusion by its neighbor to the W at sunset. So our home is no more impactful to our neighbors at 3566 Canyon Crest than if we were a 10ft high home with CSD-required setbacks. This relation ignores for the sake of simplicity that 3566 Canyon Crest is sited at a higher elevation than street grade.

On support-17, we show the extent to which the view from 3566 Canyon Crest along sight lines to our home is already occluded by their and our oak tree canopy.

I realize this is irrelevant, but I was particular disheartened to learn that these homeowners (an older couple) work from home - he is a writer for the Smithsonian. His livelihood and quality of life will definitely be negatively impacted by the construction and eventual structure.
I am a Landscape Architect and understand the applicant's desire to live amongst the natural surroundings of the canyon but I also know how naive they are being when they think they can develop that lot without way more impact to the Oaks than they state. I also know how arborists can be swayed to write reports in their client's favor. If they develop this lot, in the end I believe they will find themselves with far fewer oaks than expected and their idyllic plan to live among the oaks will not ultimately be realized.

It was not the opinion of the professional arborist we hired to assess this that the encroached oak trees are likely to die, as we iterated with him on the footprint of the house. The three oak trees nearest the street that will continue to shroud our home in canopy are encroached only by our permeable driveway, which does little to change existing conditions. Three other oak trees are encroached only at the outer edges of their protected zones beyond the dripline of the canopy.

Our arborist notes that the "minimum industry recommendation for excavation on one side of a tree is 5x the trunk diameter." Trees 4, 7 and 8 were noted in the report as having grading within their protected zones. Tree 8 fully complies with the industry recommendation, with encroachment only "1ft into the protected zone" and a ratio of more than 10. Tree 7 is 27.5" in diameter with excavation estimated to be 72" from the edge of the trunk. While this ratio of 2.6 is lower than the recommended 5, the depth of excavation will be reduced and trail off to nearly nothing at the minimum encroachment distance. Over the remainder of the footprint, the report notes that "it does not appear that a significant portion of the root system of any of the trees would be impacted by a minimum 24-inch diameter hole, and the overall health and stability of the trees should not be compromised."

Oak tree #1 is 2.9' in diameter. 5x this distance would be 14.6ft. Oak tree #1 has had two separate encroachments that have violated the minimum encroachment distance recommendation in the past 20 years (support-26), and yet is assessed a grade of "A" for health and vigor in the oak tree report. The encroachment at 3589 Canyon Crest in constructing a 5' diameter and 35' deep overflow seepage pit under their driveway near the street in 1994 had a ratio of 6'/2.9' = 2.2, and a water meter and lateral installation on our lot by a previous owner in 2005 had a ratio of 7'/2.9'=2.5, consistent with the values we are using for trees 4 and 7 (our lowest ratios). We further note that these encroachments were on opposite sides of the tree (whereas the guidelines apply only to excavation on a single side)

and included the conventional construction of laterals. We contend this is as or more severe than the similar encroachments of our excavation, and these only for 2 of the 10 trees at street level.

Working in the construction industry, I also know that the impact of construction on traffic will be far greater than the applicant claims. I am a resident of The Meadows and drive past this lot daily. It is at a very narrow part of the road at a bend. We have only this one way to access our homes and the outside world and for emergency vehicles to access us.

I urge you and the Planning Department to require the applicant to provide traffic impact studies and more information on the massing of the proposed structure and its footprint, by way of story poles to further study the impact to the slope, watershed, protected Oak trees and existing residences before giving any further approval to the project. I think it is crucial that Regional Planning sees the proposed development in-situ because it will reveal more than what can be shown in drawings and study models.

As the paving repair of many utility maintenance excavation trenches along Canyon Crest will attest, as well as our own experience as residents of the Meadows neighborhood up Canyon Crest for several years, a single lane of Canyon Crest has occasionally been closed. A long-side water hookup was installed on our lot in 2005, which spanned the entire road (support-6). M.H. 17 of LACSD index map 1906 is accessed to clean the sewer siphon every 60 days. This requires blocking off a lane of traffic on Canyon Crest immediately adjacent to our property (support-31). The DPW has rules to govern the flow of traffic if a single lane must be blocked off, and we will adhere to those rules.

Our ~1000sqft flat area (and ~500sqft garage, as well as ~500sqft main level, at an intermediate stage of construction) will provide sufficient area to keep our construction staging activities out of the road. This area is more than 30ft deep and can accommodate a large cement truck, or a standard 20' flatbed to unload building materials.

After the main level of our home and garage is cast, we will have an additional ~1000sqft of staging area as framing commences, as well as two additional spots and an uninterrupted length for staging of more than 50ft parallel to the road and set back from it by ~30ft. DPW Traffic & Lighting is one of the affected departments that have reviewed our plans.

Thank You,
Kara Bjornlie
4470 Rising Hill Rd., Altadena, CA

We respond to the second letter below.

Dear Ms. Kulczycki-

You have already heard from me, expressing my concerns and opposition of the proposed development on Canyon Crest so. I appreciate you taking yet another letter from me.

When I look at the drawings of the proposed structure on site in the context of the water shed, soils and existing oak trees, I am baffled that this project has gotten as far as it has. I am not a hydrologist nor geotechnical engineer, so I can't speak to the geology or drainage, but I am a Landscape Architect and have worked with Oak Tree reports, so I took it upon myself to study the report for this project (thank you for sending the plan this morning).

I couldn't understand how an arborist could write a report that showed so little impact from the proposed structure. After reviewing the report and the applicants' site plan, I see that there

are discrepancies between the information the arborist had when writing the report and the site plan that is presented today.

On pages 6 and 7 of the Oak tree report under the Project Impacts heading, it states the house will consist of a garage at street level with the main floor below. There is no mention of the 3rd floor that rises 31' from grade into the canopy of the Oaks.

The loft level of our home is portrayed in the elevations we submitted in our oak tree report and to our arborist during design development.

The report also mentions a smaller, 5' retaining wall. The current site plan shows 2 much longer retaining walls.

5' refers to average height, not to length, and we note that the retaining wall is really the subgrade wall of our home. The extent of excavation is portrayed in the sections we submitted as part of our application, and the length of the walls is portrayed in our current site plan.

The knowledge of a third floor and the removal of canopy that would require and the impact of such a retaining wall would result in a far different report.

I have attached pages 6 and 7 from the report highlighting the paragraphs I reference. Also attached is the site plan where I have marked the proposed retaining wall, the Oaks that will be encroached on and images of those trees' canopies that would be removed. I have also drawn over their isometric of that side of the house to show that clearly the arborist was not given the information for the house that is proposed today.

We show on support-34 that of the three protected trees to remain with canopy that intersects the footprint of our home (trees #4, #5 and #7, and allowing that some canopy of tree #7 will be able to overhang and that a few feet of clearance will need to be maintained around our home), almost 2/3 of the extent of these trees' canopy exists outside the footprint of our home. Were our home to be shorter at the NE corner by 5ft – or even 15ft – the same limb of tree #4 would need to be pruned.

The report also does not mention the grading under and around the trunks of Oaks #8 and #9 (I accidentally covered over them on this site plan).

We are unclear as to the grading referenced in this statement. We intend to leave the area outside of the footprint of our home ungraded, and the notching required of the hillside referenced in our report is outside the protected zone of oak trees #8 and #9.

I am pleased to say that many of the Altadena Town Council members were convinced they needed to take a look at the site and those that did changed their minds and voted to not recommend the project to L.A. County Regional Planning. Seeing is believing, and in this case also quite revealing.

We spoke with many town council members both for and against our project after they voted on 3/15/16, and all claimed to have visited the site. Councilwoman Anne Chomyn voted to recommend approval of our project, and stated that she had visited the site three times. We believe Kara's statement is a reflection of the fact that our opposition met with these five council members on the site – as several noted in their comments both publicly during the proceedings, and privately after the vote. We believe it would have been proper for these members to speak with us on site as well, to weigh the merits of both sides and allow us to address the many questions that surfaced during the discussion period of their deliberation. Other than discussing logistics of our presentation with councilman Damon Hobdy, we did not speak with any town council members about our home outside of our presentations to them on 10/6/15, 3/2/16 and 3/15/16, on site or otherwise.

We hope we have addressed Kara's concerns. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

Thank you for your time and concern.

Sincerely.

Kara Bjornlie
4470 Rising Hill Rd.
Altadena. CA

Kristina,

We want to thank Rebecca for her work and will consider some of her suggestions carefully with our arborist. We will attempt to address inline the questions and concerns that she has brought up. We believe that she has asked for some details that go beyond the scope of the burden of proof laid out in 22.56.2100.A. It is unfortunate she did not attempt to engage with us or our arborist to address her questions, as it might have avoided some misunderstanding.

We have tried to attribute professional opinion and objective evidence where possible. Our arborist is ISA-certified and was contacted from a list maintained by the county of recommended arborists with experience writing oak tree reports. We deferred to his judgment during design development in iterating on the footprint of the home.

We refer here to the supporting document available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number].

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena.

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

John Lynch is our future neighbor to the north at 3589 Canyon Crest Road, who along with his wife have parked their car and pickup truck on our lot in the unimproved protected zone of our oaks for the past 10 years, since purchasing their home in 2006.

Dear Kristina,

As requested by the neighbor, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from Jay Lopez dated December 3, 2014. I was surprised that the report did not include all the oak trees on the site and failed to mention that it crosses a stream with Riparian oak woodland habitat.

We disagree with the statement that not all oak trees on our site are addressed in the report. Every oak tree – whether on our lot or adjacent to it – with a protected zone encroached by our permeable driveway or the footprint of our home or the construction of our utility laterals is included in the report. At the request of our arborist, we consulted the county Forestry department Environmental Review Unit to confirm that this was the expected scope of any report for a single family residence, and that other trees as far as 200ft distant on private property (many of which were not granted access to be surveyed) were not expected to be included. The county Forester reviewed the oak tree report for our project and agreed with this scope. The oak tree report addressed this with the following statement: "There are additional oak trees within 200 feet of the proposed development, but beyond the property boundary. These trees could not be surveyed due to access restrictions by the adjacent property owners and are not proposed to be impacted by development."

The oak trees in the riparian environment below are also addressed with this statement in the oak tree report: "There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis."

The Assistant Chief Forester who reviewed our oak tree report states that, "The Oak Tree Report is

accurate and complete as to the location, size, condition and species of the Oak trees on the site."

Additionally, I think it is important to note that at some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops. This fill soil can compromise the health of the trees.

It is stated that the pad was re-graded at some point in the recent past. John has been resident at 3589 Canyon Crest since 2006, and as Rebecca was commissioned by John, who would have had knowledge of this had it occurred while he lived there, any claimed grading would therefore have occurred more than 10 years ago. We will discuss with our arborist the risk trade for re-grading to what may have existed 10+ years ago, versus preserving the grade the trees may have acclimated to over this period. We call attention to the fact that these trees have continued to survive to receive mostly grades of A or B from our arborist 10+ years after this claimed re-grading may have occurred.

We note that assessment of this fact required some excavation in the protected zone of the oak trees. We and our arborist have tried to comply meticulously with the oak tree statutes, which may be interpreted to forbid this until an oak tree permit is granted.

Maintaining the health of our trees will be a priority for us during and after construction, and we intend to build on the initial recommendations of our arborist to address the needs of our trees. This may include re-grading after construction is complete, if our arborist recommends.

Quick Summary:

The property contains a significant ecological area and can be defined as an oak woodland. A Riparian woodland exists at the bottom of the canyon on the parcel. There are also important natural rock features impacted by the project.

The statement describes the property as containing a "significant ecological area". Since the term is not capitalized, the intent is ambiguous. We will note that a part of our property became part of a Conceptual Significant Ecological Area as defined under the LA County SEA Program on December 10, 2014 (http://planning.lacounty.gov/sea/proposed). The footprint of the home is outside this conceptual SEA, the boundary of which was drawn to avoid the footprints and adjacent yards of neighboring residences along the west of Canyon Crest (see the SEA overlay at http://rpgis.isd.lacounty.gov/GIS-NET3_Public/Viewer.html). Quoting from the DRP materials, "Conceptual SEAs will replace the current adopted SEAs in these three communities only as each community amends or updates its own community plan." Therefore, this remains a latent designation. In the initial study, our planner notes that "the project site is not located in a currently mapped Significant Ecological Area (Source: General Plan 1980 Special Management Areas Map)".

It is not clear to us what is meant by "important" natural rock features.

Our property contains two separate stands of oak woodland – one in the riparian environment of the canyon below and one at street level. Our home is accurately described in the initial study as sited at the "edge of a disturbed oak woodland community."

Species on the property include canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lot has sycamore and scrub oak.

Fill soil laid down in the recent past should be removed on the flat pad by the oak trees. The actual size of the flat pad not covering tree roots may be much smaller than it is now. Even a small amount of fill soil can contribute to root death and tree decline.

We will carefully consider this recommendation with our arborist, who may come to the same conclusion in overseeing the manual excavation for our home.

The impacts of the project are much greater than represented in the arborist report prepared by Land Design Consultants. The report does not quantify impacts, only discusses distances from tree trunks. I estimate 3-4 trees or more may need to be removed to construct the proposed project.

In the absence of supporting details, it is not clear to us which 3-4 trees are referenced, or whether these are protected trees. As the oak tree statute protects only trees greater than 8" in diameter, we assume the statement refers to removal of 3-4 mature, protected trees. It is stated that impacts are not quantified, but our arborist described the manner and distance of encroachment of all trees. Aside from the single protected oak tree we are cutting, only two of the protected trees on our lot to remain will require any significant pruning, and only these same two trees exceed what our arborist describes as "the minimum industry recommendation for excavation on one side of a tree," being "five time the trunk diameter." We will refer to this ratio as the Encroachment Distance to Diameter (EDD) ratio.

Trees #8, #7 and #4 were described in our report as having retaining wall (which we'll note is really the sub-grade wall of our home) excavation within their protected zones, being "approximately 4 feet from the trunk of tree #4, 6 feet from the trunk of #7, and 1 foot into the protected zone of #8". Tree #8 complies with the industry recommendation, with an EDD ratio of more than 10. Tree #7 is 27.5" in diameter with excavation estimated to be 72" from the edge of the trunk. While this EDD ratio of 2.6 is lower than the recommended 5, the depth of excavation will be reduced and trail off to nearly nothing at the minimum encroachment distance. Tree #4 is sqrt(9.5^2 + 19^2)=21" in diameter with excavation estimated to be 48" from the edge of the trunk. While this EDD ratio of 2.3 is lower than the recommended 5, this encroachment occurs in only a quadrant of the protected zone.

Oak tree #1 has had two separate encroachments that have violated the minimum EDD ratio recommendation in the past ~20 years (support-26), and yet is assessed a grade of "A" for health and vigor in the oak tree report. In 1994, a previous owner of John's property filed for a permit for an overflow seepage pit (http://dpw.lacounty.gov/bsd/nas/5830/003/003/3589%20N%20CANYON%20CREST%20RD%20%20007508982.pdf). The as-built record for this seepage pit is shown on support-27. It shows that a 5' diameter and 35' deep seepage pit was drilled under their driveway near the street. The edge of this seepage pit – construction of which entailed more than three times the volume of excavation of any one of our piles – is no more than 6ft from the trunk of tree #1, per the as-built (support-27). Tree #1 is 33" in diameter, resulting in an EDD of 2.2, less than the EDD ratios we're proposing to adopt for trees #7 and #4, the only such trees to exceed the minimum industry recommendation.

Furthermore, a water meter and lateral were installed on our lot by a previous owner in 2005. The surveyed location of the edge of the water meter is 7ft from the trunk of tree #1, resulting in an EDD of 2.5. These seepage pit and water meter encroachments occurred on opposite sides of the tree, and both encroachments included the construction of laterals well within the protected zone of tree #1. Tree #1 is already encroached immediately to the N by John's own impermeable driveway and slab-on-grade home, and immediately to the E by the impermeable pavement of Canyon Crest itself. Tree #1 is portrayed in the image on page 20 of Rebecca's report. Given the extent of encroachment of tree #1 and its vigor in spite of this, there is some objective reason to believe that our trees may be more resilient than this report appears to state.

Our arborist catalogued the health and canopy extent of each of our trees. In the field, we will make decisions as to which branches must be cut and which may not. We will make every attempt to preserve as much oak tree canopy as we can.

Impacts to adjacent trees are not considered.

It is unclear to us which adjacent trees are being referred to here. All oak trees with any encroachment into their protected zones – whether on our lot or adjacent to it – are considered.

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10, However, the trunk is within 15 feet of the foundation pilings and adjacent to a large boulder that may need to be removed.

The surveyed distance between the trunk of tree #10 and the edge of the NW pile of our home is 15.5ft. Our cantilevered deck does encroach into the protected zone of tree #10, though it does not physically overlap with its existing canopy at that elevation and therefore results in no physical encroachment of either the protected root zone or canopy of tree #10. To address this marginal encroachment of oak tree #10, we submitted to our planner in July of 2015 a revised burden of proof that states, "The proposed project construction will result in nine (9) encroachments and one (1) removal of the total 10 surveyed oak trees onsite."

2. Sewer line and water line construction impacts are not mentioned in the oak tree report. Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.

Construction of laterals will adhere to oak tree mitigation measure #4, that "all work in the protected zone of the trees approved for encroachment must be done using hand implements only," and measure #10 that "any major roots (2" or greater in diameter) encountered shall be preserved to the extent possible". According to IPC section 305.6 and IRC section P2603.6 and P2603.6.1, water and sewer laterals may be buried at 12" below grade. The more conventional 18" specification for these laterals will still allow us to avoid any permanent damage to any oak tree roots, through careful, shallow excavation. Although the sewer lateral is required to drop deeper where it enters the road right of way, this point was chosen to be more than 15ft distant from any tree.

3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.

The proximity of these permanent changes to grade – which are confined to the footprint of the home – is quantified wherever the impacts exceed the industry recommendation. The amount of grading – both cut and fill – is also quantified.

   a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?

The holes do not have to be shored, and if they were, shoring is thin corrugated steel that does not add significantly to the diameter of the excavation. Spoil from the holes will be removed from the site.

   b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.

On our website (https://bitly.com/1VnrSrM), we have a link to videos that show the limited access drill rigs that are used on hillside lots (and even inside homes) to drill piles. Dump trucks will not be used

on our site. As is conventional on any construction site, spoil can be removed with standard 5 or 10 yard dumpsters that are no more than a few feet high. The loads of these temporary dumpsters will be distributed with plywood in the protected zone of our oak trees, per oak tree report mitigation measure #6.

> c. Where will materials be stored where they are not within the protected zone of any oak trees?

The implication of this statement appears to be that it is not permitted to store materials within the protected zone of oak trees. While it is desirable and conditioned where possible to avoid parking in the protected zones of trees to minimize compaction, any such requirement would be inconsistent with the use of our lot to park John's 2-ton pickup truck in the unimproved protected zone of our oak trees for ~10 years. Our oak tree report mitigation measure #6 allows staging of materials in the protected zone of oak trees, provided the loads are distributed with plywood cribbing to reduce compaction. We believe with our arborist that with this measure in place, staging will be no more impactful to our trees than the point loads of the truck's tires.

Once our main level and garage is cast, we will have an additional ~1000sf of area to stage building materials off of the unimproved ground in the protected zones of our oak trees. It is after this point that most deliveries – framing lumber, sheathing, drywall, cladding, roofing, windows and doors, etc. - will be made.

> d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees?

The flow of the drainage channel will be re-routed gently by ~3-5ft around the SE corner of the house. This will have a small impact to native grade (in family with the claimed over-grading at the level of the pad), an impact confined to a single oak tree's protected zone (tree #5).

> e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?

The arborist presumably relies on their skill and experience and does not recommend removing trees that are expected to survive.

> f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.

The height of our home with respect to grade and the height of overhanging canopy with respect to grade are variable. It is inaccurate to reduce this to a single figure of 31ft. It is true that at the NE corner (the maximum absolute elevation, which is 31ft above street grade) there will be no over-hanging canopy (though canopy will remain to the north and east that will continue to obscure this corner from neighbors and from much of the street). This would also have to be true were our home 5ft lower at this corner. A limb of tree #4 will need to be pruned to effect this. Some limbs and branches from tree #7 will also need to be pruned. The height of our home most impacts tree #7, as the tree that will see the greatest extent of canopy encroachment and pruning. At the middle vertex of our home along its north edge, the height at ridgeline with respect to the base of the trunk of tree #7 will be ~25ft, and at the NW corner, ~10ft. Parts of the canopy of tree #7, which extend to a height of 35ft above the grade at its trunk, will be able to overhang our home. Aside from tree #4 and tree #7,

only tree #5 has canopy that intersects the footprint of our home, and this only slightly, at the SE corner. It will be trimmed slightly, if at all.

We had earlier considered staking story poles to portray the footprint of our home, but we have been trying to follow all rules scrupulously and were given pause by the language in the oak tree report, prohibiting "any act causing or tending to cause injury to the root system". Some of our neighbors have put up an array of changing visual aids attempting to portray some dimensions of our home, and where they believed the vertices to be located. Some story poles must have been driven at least a couple feet into the ground in order to stand up.

We had also created wireframe renderings from several vantages that attempted to portray the massing of our home.

g. There is no mention of the required 5 feet of clearance required by the fire department for the structure.

No citation is provided for this claim of 5 feet of clearance, as John provided no citation for the claim in his opposition letter that an "additional 10 feet of clearance around the structures" is required. In the applicable fuel modification guidelines (https://www.fire.lacounty.gov/wp-content/uploads/2014/02/Fuel-Modification-Plan-Guidelines-8-10-11.pdf), the following statement is made with respect to trees in zone A: "Trees should be limbed up to at least 6 feet above bare earth and a minimum of 3 times the height of underlying plants." There is no reference to a 5 feet setback for the limbs or canopy of trees in proximity to the home. And these are guidelines, that do not necessarily reflect the state of enforcement on the ground, for which other considerations apply.

We live at 4381 Canyon Crest, about a mile up the road from the site of our new home. The same fuel modification inspectors visit us presently as will visit us in our new home. We have a large Q. agrifolia just below heritage size 8ft from the W edge of our home, which overhangs the house. Every couple of years, an inspector will typically ask the canopy be trimmed back to a few feet of offset from the roof. The large limbs of another tree are permitted 12" from the N edge of our home, along the soffit. There are other fine examples of Q. agrifolia trees in Altadena that coexist in close proximity to the homes they shelter, and for which even soffits have been rebuilt to accommodate limbs (support-25). These homes are successfully inspected and insured, and ours will be as well, with its fire-rated assemblies.

We also note that 5ft width around the perimeter of the home for access by fire personnel on foot requires no pruning of canopy beyond that typical of fuel modification, as we describe above.

4. The report does not address any impacts to the heritage sized oak tree on adjacent property to the south and additional tree over protected size on their property. Although there are no heritage size trees around the building site, there are some within 200 feet of the project.

The referenced tree is ~60ft distant from the S edge of our home, well outside its protected zone. We clarified earlier the scope of our report and the approval of that scope by the Forestry department. It is unclear what is meant by "additional tree over protected size on their property." All protected trees with any impacts were analyzed in our report, and all trees on our lot were addressed.

5. There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2 inches of fill soil can suffocate roots and cause root decay.

We have addressed this point earlier. On the one hand, it is noted that as much as 3ft of over-graded fill has existed for a period of ~10 years in the protected zone of trees that were graded A or B. On the other, it is claimed that 2 inches of fill can suffocate roots. Regardless of whether this may be true of some trees, ours appear to have demonstrated some tolerance. We will consider the

recommendations of our arborist during and after construction.

6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in the oak tree report. They could be directly impacted by a change in hydrology or drainage.

We have earlier addressed the misconception that the footprint of our home is in any SEA, and that any portion of our lot is in a currently mapped SEA. The oak trees in the riparian environment of the canyon below are described in our report as not being impacted.

No support is provided for the claim that there are multiple oaks that are "directly" below the building site. Our arborist quantifies their proximity with this statement in the oak tree report: "There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis."

Sediment and debris generation is controlled by the DPW Erosion and Sediment Control Plan requirements, were excavation to occur in wet months. In the dry months, conducting excavation by hand will limit these impacts to less than significant. The hillside between the footprint of our home and the oaks in the canyon includes dense ground vegetation that would intercept whatever small quantity of dirt may escape our control measures.

Our home will do little to alter existing drainage patterns, having a footprint of only 1262sf. Existing sheet runoff from the footprint of our home intersects the open drainage swale before it intersects the protected zones of the oak trees in the canyon below. Our roof runoff will also be directed to this open drainage swale, preserving the existing drainage pattern.

Also the slope is full of large boulders that may require removal to construct the proposed pilings.

The single large boulder pictured on page 12 of the report, as well as that portrayed on page 13, have been surveyed and do not require removal. All piles are sited at locations free of rocks/cobbles that are visible at the surface. The depth of alluvial terrace containing these cobbles is anticipated to be 2-4ft, per the test pits of our geotechnical report.

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.

There is no supporting exhibit map to derive this figure of 35%. There are two stands of oak woodland on our property, and only the road-side stand is affected. Using the canopy outline created by our arborist in his exhibit map, the area of protected oak tree canopy in this stand on our lot is ~4171sf, which is ~9% of the area of our 44390sf lot. We portray this in support-34.

a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.

This process occurred as part of the initial study, which states: "The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (Quercus agrifolia) tree from the community for the construction of the proposed residence. The

applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant."

Although our arborist does not believe it is likely, even if one or more trees were to succumb from impacts from construction, we are able to mitigate impacts to oak woodland by planting additional trees in a 2:1 ratio either adjacent to the stand of woodland at the street, or the riparian stand of woodland below. We hope to plant additional oak trees independent of any statute requirements, and in time to see our oak woodland expand and prosper in a favorable environment.

b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.

Our exhibit map depicts and labels all affected oak trees. All of these oak trees are acknowledged to be a part of a stand of degraded oak woodland.

8. How much notching is a slight notching for the driveway? The depth needs to be quantified.

We believe this is referring to the following statement in the oak tree report: "The placement of the new driveway will be placed over existing grade and may require a slight notching of the hillside for placement of the driveway". This notching is that of our home in order to place the garage at the level of the street. No excavation is required for placement of our driveway. The notching for our home is described in the architectural drawings submitted as part of this process.

9. If the driveway gets laid over the existing grade without removing soil, how will it not be several inches above grade? Vapor permeable driveways can still cause root damage and compaction unless carefully designed. What percentage of the root zones will be impacted by the driveway?

Our driveway is composed of a thin layer of gravel. In the same way that a thick layer of mulch that does not affect permeability is not treated as changing the grade (and noting that we are conditioned to provide four to six inches of mulch in the protected zone of our trees after construction per oak tree mitigation measure #11), this gravel is not treated as materially changing the grade either. Given this negligible impact to existing conditions, it was not considered necessary to further quantify it.

In my opinion, at least 3-4 trees will have to be removed to construct the project and several more will sustain significant impacts that could shorten their lifespans. The report lacks sufficient detail to determine the extent of certain project related impacts to the trees. More importantly, this property is part of the visual corridor of native oak trees that lead to the Meadows. The trees are part of the visual character that gives the neighborhood a semi-rural fee. I also believe oak woodland habitat in Southern California is rapidly disappearing due to drought and development and healthy trees should be preserved.

We have earlier addressed why we believe with our arborist that one – and not 3-4 – trees need to be removed. Removal of 3-4 trees would imply that removal is required not just of the only two trees (trees #4 and #7) that see any pruning and encroachment from notching of the hillside, but as many as 1 other tree, and that "several more" in addition will sustain significant impacts. If oak tree #5 is assumed to be this additional removed tree, and acknowledging that #6 must be cut, then "several more" can refer only to trees that are encroached only by our permeable driveway (trees #1, #2 and #3) or the construction of piles at the edges of their protected zones beyond the dripline of the canopy (trees #8, #9 and #10).

We hope we have been able to address Rebecca's questions and concerns. We live in the Meadows

neighborhood and love the oak trees in the area. We have tried our best to design a home that retains as many of our oaks as is possible. We look forward to planting new oaks on our property to preserve and expand the two stands of beautiful oak woodland. We also hope to dedicate a conservation easement to forever protect the riparian environment of the canyon and oak woodland far below our home, and have initiated a conversation with the Arroyos and Foothill Conservancy towards that end.

Regards,

Stephen and Vandana

Please let me know if you have any questions.

Sincerely,

Rebecca Latta

Consulting Arborist, Horticulturalist
626 272-8444 cell
rlattaconsulting@gmail.com
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists

Kristina,

We have attempted to address inline the concerns that Amish has brought up.

I am a resident living for almost 20 years in the Altadena Meadows area that is going to be affected during the building and construction of Permit No. R2014-02411-(5) on Canyon Crest Rd. Altadena, CA 91001. This area is one of the HIGHEST FIRE danger areas in this county. It also has one road in and road out for hundreds of residents. Considering the financial and ethical ramifications for these residents if something should go wrong I would like a closer monitoring of the potential risks.

There are two main concerns about this project

1) Heavy construction equipment, trucks and material deliveries will choke traffic on Canyon crest and possibly block fire, paramedic and police access to the meadows neighborhood for over a year.

As we note on our website, "our property line extends to the short concrete wall separating our lot from the driveway of 3589 Canyon Crest. This ~1000sqft flat area (outside of the footprint of the home) is suitable for construction parking and other staging activities. Along with minimizing impacts to existing oak trees, we explicitly designed the footprint of the home so that this pad was available as a staging area, to keep construction activities off of the road. The pad is more than 30ft deep and can accommodate a large cement truck, or a standard 20' flatbed to unload building materials. After the main level of our home and garage is cast, we will have an additional ~1000sqft of staging area as framing commences, as well as two additional spots and an uninterrupted length for staging of more than 50ft parallel to the road and set back from it by ~30ft...If a single lane needs to be blocked briefly (as for a utility hookup), we will abide by county rules, including those governing times of day, minimum width of remaining roadway (for emergency vehicles), signaling and flow of traffic."

2) As an engineer & scientist, I worry that Canyon Crest road will be WEAKENED due to excavation seismic vibration and the build-out. I am sure LA county geotechnical department has fully analyzed this issue and is cognizant of the perils.

As we note on our website, "Our piles will not affect the stability of the road and pavement above. After drilling, the piles are backfilled with reinforced concrete, stronger than the decomposed granite bedrock replaced. The Department of Public Works Geotechnical and Materials Engineering Division reviews all plans to ensure safety, and our geotechnical report includes the roadway in its analysis."

We hope we have addressed Amish' concerns. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

In conclusion, if anything does go wrong, I will hold LA County departments liable to the full extent of the law especially since this project seems to require cutting mature Oak trees and excavating in a forest watershed.

I can be contacted via email or phone at 626.817.3639, in case you would like to discuss this matter.

Thank you for taking the time to hear my concerns.

Sincerely,

Amish Desai, Ph.D.

4149 Aralia Rd
Altadena, CA 91001

Kristina,

We have attempted to address inline the concerns that Alexandria has brought up. We have tried to attribute professional opinion and photographic evidence where possible. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to Alexandria overlap with those of other neighbors.

Dear Councilmembers and Planners,

I am writing to let you know that I have serious reservations about the development of the property known as 3577 Canyon Crest in Altadena. While I can appreciate the property owners' excitement at the potential realization of their new home, the design and construction plan as shown on their informational website appears problematic and triggers many concerns about short-term execution and long-term adverse impacts.

I live in The Meadows and I pass the property several times a day, either in my car or on my bike. I am actually quite surprised that the engineering required to build on that lot didn't put the owners off. The slope is astoundingly steep and there is practically no platform wider than a passenger car at road grade.

There may be some confusion as to the extent of our property. As we note on our website, "our property line extends to the short concrete wall separating our lot from the driveway of 3589 Canyon Crest. This ~1000sqft flat area (outside of the footprint of the home) is suitable for construction parking and other staging activities. Along with minimizing impacts to existing oak trees, we explicitly designed the footprint of the home so that this pad was available as a staging area, to keep construction activities off of the road. The pad is more than 30ft deep and can accommodate a large cement truck, or a standard 20' flatbed to unload building materials. After the main level of our home and garage is cast, we will have an additional ~1000sqft of staging area as framing commences, as well as two additional spots and an uninterrupted length for staging of more than 50ft parallel to the road and set back from it by ~30ft."

The pile and grade beam foundation of our home is the only aspect of construction that is not conventional to any other new home or second-story addition that might be built in the area on a flat lot, though it is conventional to hillside construction throughout the LA area. As we note on our website, "We will cast our piles in decomposed granite bedrock, which is an excellent substrate. Our geotechnical report confirms standard factors of safety for static and dynamic stability of the hillside, and the suitability of our pile and grade beam foundation to it. Our structural engineer has designed our home for seismic tolerance above and beyond modern code requirements."

Any decision-maker who has not visited the lot in person is doing themselves and the community a disservice by either recommending or not recommending this project. A site visit is critical so one can determine the challenges and drawbacks to this project as submitted.

While we agree that a site visit is useful for anyone wanting to understand our home and its constraints, engineering analysis and compliance with all governing regulations determines feasibility.

My primary concerns that I do not feel are addressed adequately or truthfully on the project website are:

We have attempted with much care and effort to be open, accurate and detailed in the statements and visuals provided on our website.

1. Sufficient staging for construction materials and equipment.

We have earlier addressed what appears to have been a point of confusion based on the statement that "there is no platform wider than a passenger car at road grade."

2. Disruption of vehicle flow on the only road in/out of The Meadows.

We will adhere to all DPW Traffic and Lighting division rules for any brief period when a single lane of Canyon Crest may need to be closed, as for a utility connection. Single lane closures are experienced regularly right in front of our property. As we note on our website, "Some [neighbors] may have observed what this looks like during regularly scheduled cleaning of the sewer siphon that outlets near the edge of our property, which occurs about every 60 days. Our personal experience has been that this is not unduly disruptive to traffic. Cones clearly advertise the activity, and workers with flags ensure safe speeds and the alternation of lanes when needed. Work is generally scheduled as much as possible outside the morning and evening hours when levels of traffic are higher. As no sub-street utility has an infinite lifetime, and every street's utilities are subject to repair and replacement, the DPW Traffic & Lighting Division has a standard process to govern this." We portray what this single lane closure looks like on support-31.

3. Destruction of oak trees.

As we note on our website, "The shape and tiered design of our home is driven by our desire to preserve as best we can the oak trees nearer the street that help give our lot its unique character, but it is not possible to fully avoid impacts to them. We have tried to responsibly balance constraints in minimizing the extent of removal and encroachment. The three oak trees nearest the street that will continue to shroud our home in canopy are encroached only by our permeable driveway, which does little to change existing conditions. Three other oak trees are encroached only at the outer edges of their protected zones, beyond the dripline of the canopy. We iterated with a professional arborist throughout design development, who laid out a set of mitigation measures to help protect the roots, trunks and canopies of our oaks during and after construction."

If Alexandria had suggestions for ways to reduce impacts to oak trees, we would have gladly discussed them with her, asking for feedback in several places on our website, which we have tried to make known with mailers to all neighbors in the Lower Canyon Crest and Meadows neighborhoods. During design development, we evaluated many different designs for their impacts and believe we have responsibly balanced constraints in the design we chose, but we are always willing to receive feedback. Borne from a discussion with one of our neighbors – the only who has engaged us with constructive criticism – we made a change to our entryway that we feel is a superior design to our original, both for us and our oak trees. We feel it's unfortunate that more neighbors have not attempted to engage us constructively in this way.

4. Impact on the creekbed and water flow.

The DPW Drainage division has reviewed our plans and the accompanying hydrology study. As we note on our website, "The flow of water is constrained by the capacity of the 18"D culvert under Canyon Crest, which in turn is sized for the area it drains. Flow in the channel will be re-routed gently by ~3-5ft around the corner of the house. During design development, we have been in communication with the Department of Public Works regarding this culvert and open drainage channel. This assessment includes a standard hydrology study.

Water will not divert onto adjacent properties during a storm, save that the natural path of the drainage channel already leaves our property and enters APN 5830-003-017, before exhausting into the canyon

on APN:5830-004-900. Our slight modification of this path upstream and 10-15ft from the property edge - which will not throttle flow - will have no impact to the drainage across either property or Millard canyon below, nor will it impact the flow under Canyon Crest through the culvert, being ~10ft in elevation below the culvert. In other words, flow will only be affected (slightly) on our own property."

5. Impact on wildlife habitat disruption/destruction.

As the initial study notes, "Active bird nests and bat maternity roosts may be present associated with oak trees on site. Compliance with state and federal laws protecting nesting bird and non-game mammal species, required as a condition of approval, would reduce any project-related effects to special-status species to a less than significant level."

Some have claimed that the footprint of our home interferes with a wildlife corridor. While it is true that the streambed of Millard canyon is an important wildlife corridor between the San Gabriels and Arroyo Seco, it is also true that there will be no impact to the streambed from our development at road level, where existing homes are sited. And our home is not an outlier in relation to the five existing homes already sited along the rim of Millard Canyon along the west edge of Canyon Crest. It is neither the closest to the streambed vertically or horizontally, nor does it descend deepest into the canyon below street grade (support-28). We don't intend to fence our lot, in contrast to many of the homes in lower Canyon Crest, which are fenced across their frontage, leaving it open to whatever wildlife may be coming from or going to the developed, largely fenced homes and roads of lower Canyon Crest and upper Altadena.

6. Destruction of viewshed.

It is unclear to which viewshed this statement is referring, and whether these views are canyon views or views of oak tree canopy. We will refer to the sections of our website that attempt to portray the volume of our home as seen from other residences and from the road, and portray the views that remain into the canyon.

7. Fortress-like solid 30'+ wall above grade that is not architecturally compatible with existing homes.

We regret that Alexandria believes our home is "fortress-like". While the street-facing wall of our home contains few windows, it is the minor axis of our home, and we wanted to both a.) preserve the privacy of our neighbors across the street and b.) blend as best we can with the surrounding canopy, by using our green cladding to reduce visual impacts to neighbors.

Again, I urge you to visit the property to see for yourselves how problematic this property is for the submitted design. Compliance with the letter of the law while ignoring the intent of the law does not make a sound project or preserve the character of the neighborhood.

Many of our neighbors have been willing to interpret the intent and authority of the Altadena CSD and CUP process, in a way that we believe to reflect some misunderstanding. As the Department of Regional Planning clarifies here: http://planning.lacounty.gov/faq/cup/, "A Conditional Use Permit (CUP) is required for certain land uses which may need special conditions to ensure compatibility with surrounding land uses." Noting that ours is a minor CUP application, denoting lesser potential impacts, it can still be said that triggering the CUP process does not mean that a project should be forbidden, or denied. Rather, it is a sensible mechanism to ensure that care is taken to engage the community, solicit feedback, evaluate that feedback, and consider appropriate conditions, as our Town Council members and planners have recommended. Complying with the letter of the law is the beginning of that process, but not the end.

We hope we have addressed Alexandria's concerns. We are happy to provide any additional

supporting information that may be useful.

Regards,

Stephen and Vandana

Respectfully submitted,
Alexandria Fabbro

Kristina,

We have attempted to address inline the concerns that Michael and Mindy (hereafter MM) have brought up. We have tried to attribute professional opinion and photographic evidence where possible. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to MM overlap with those of other neighbors.

As long time (20 year) residents who have been active in conservation efforts in the area in conjunction with the Federal Government (National Fish and Wildlife Service) and the Foothills and Arroyos Conservancy, my wife and I are occupants and owners of a property that abuts the proposed project property.

We note for clarity that their home - 3617 Canyon Crest - does share a property boundary with ours, but is also separated from ours by 3589 Canyon Crest. The property boundary is shared in the canyon, not at street level.

We have several objections to this project proceeding as planned.
Firstly, we contend the proposed structure is radically out of character with the surrounding neighborhood and is thereby not in compliance with the Altadena Community Standards District (CSC) and Hillside Management Area (HMA).

Our home fully conforms to the quantified standards laid out in the LA County code and Altadena Community Standards District, including those of zoning, height above grade, stories above grade, setback and square footage.

Specifically, the planned structure appears to be four stories high according to submitted plan elevations, which show an overall top to bottom vertical height measurement of fifty three feet, with a street level height of 31' 2.5". Currently there are no four story homes, or residences in the area with anywhere near such height overall or at street level.

The characterization of the home as "four story" is potentially misleading. It is accurately no more than two stories above grade, over any part of its footprint. Nearly all of the square footage is below street grade, with only the garage/loft at or above street level. The number of stories is driven by our desire to reduce impacts to the oak trees already present, and to minimize visual impacts. This forces the footprint of the house to extend down the hillside, which results in a tiered design. If we were to remove the lowest of these levels, the shell of our home would remain unchanged. The east elevation has a maximum height of ~31ft above grade, but its average height is ~22-24ft above street grade.

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own exist within the 300ft radius - at 3556 Canyon Crest and 3535 Canyon Ridge (support-7). These appear to have street-facing facades with equal or greater average height to our own, and 3535 Canyon Ridge appears to have an equal or greater maximum height.

We note that a similarly hilly site resulted in a 4+ story layout on 1232 Rubio Vista Rd, Altadena (support-30), among just those Altadena residences for sale in the recent past.

The "Post Modern" design is disruptive and completely incongruous with the traditional early to mid 20th century architectural aesthetic of existing residences in the area.

We designed our home around the natural topography of the hillside and the oak trees in which it is shrouded. It is modern to the extent that a conventional single story home is unsuited to its site.

Altadena is a quirky mix of a large number of architectural styles, including several examples of true moderns, as well as many fine examples of mid-century moderns. There are homes in Altadena with great modern style by Gregory Ain, Frank Lloyd Wright, Jack Simison, Buff, Straub and Hensman and others. The Altadena Heritage Society celebrates the "radically modern" homes designed by Ain in Altadena's Highview block of houses (http://altadenaheritage.org/the-aha-program/). The first Altadena Heritage Area was a section of street on N Garfield: "It was chosen because the 20 small houses on the street, a subdivision built in an old olive grove in the 1930s, represented just about every architectural style then prevalent. You'll find Spanish to Cotswold cottage to traditional homes on North Garfield." Altadena has no single characteristic style, and includes examples of true modern homes (support-32). We value the diversity of the community.

We note that the matte, vertically seamed metal cladding we've chosen - in addition to being non-combustible in this fire-prone area - is aesthetically consistent with the vertically seamed wooden cladding of 3566 Canyon Crest (support-16) and of MM's neighbor at 3589 Canyon Crest (support-22). There are also many examples of (fire resistant) standing seam metal roofs, including at 3726 Canyon Crest. The green color of the cladding is consistent with 3737 Canyon Crest, which is sited in similarly steep terrain (support-21) much nearer the streambed than our home (support-28).

We note that the mean square footage of the 19 residences within the 300ft minor CUP mailing radius to be 2,047sqft, per the LA County Department of Regional Planning (DRP) GIS information (support-29). Depending on whether the loft is counted in square footage (and given that it is unconditioned storage space that extends the utility of our garage, Building and Safety agrees it should not be), our house is either ~1500sqft or ~1700sqft.

The east wall of our home is an average of ~22-24ft above street grade, depending on the referent. At the SE corner of this wall, it tapers to 15-17ft above street grade. Oak tree canopy will obscure the upper edge of this wall, as seen from the street and other residences.

As previously mentioned, two examples of homes with 2.5 or 3 story facades facing the street exist within the 300ft radius of the minor CUP mailers.

Our design is consistent with the variety in size and scale of the eclectic group of existing residences in the lower Canyon Crest area.

We realize it is possible to construct the proposed structure, however, we feel it is an improper use of the property and resources in the area. We feel that no construction should be allowed because it would require radical construction techniques that are out of place and have not been previously used in the area.

Our construction techniques are well-established. A pile and grade beam foundation has been a common approach to hillside construction in past and modern times. "Grade beam" is included in the canonical definition of "foundation" in the LAC code (1613.7.3): "FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams." The rest of the construction of the house is conventional.

Should construction be allowed, we would prefer to see a more homogenous traditional design that does not protrude thirty-two feet above street level and block the views of homes across the street, or intrude so far down into the canyon.

A "more homogeneous traditional design" is not clarified in relation to our own, but to the extent that square footage is consolidated in a single story, it would result in the removal of a greater number of oak trees and extent of oak tree canopy. Per the above, we claim that there is no "homogeneous" in Altadena, or this stretch of Canyon Crest. MM's own home is of the Spanish stucco and red tile roof style. Up the street, there is a nice example of a green wooden A-frame. Across from it is a contemporary home sited on the massive native granite cobble foundations of a lovely Craftsman mansion that burned down in 1935, with huge boulders spanning the entryway: http://www.altadenahistoricalsociety.org/echos/fof/Boulder_Crest.pdf. It is an eclectic community.

We address neighbor views and canyon offsets subsequently.

We feel the applicant has not accurately represented the scope and impacts of the proposed project and several elements need to be reexamined for accuracy. omissions and conflicts among various elements.

Our submissions have been accurate and consistent with the scope required of our minor CUP application, but can be misinterpreted, which we hope to clarify inline below.

In the Burden of Proof section of the application. the applicant states the project is "sited at street level with existing development" (22.56.215.F.1.b). He neglects to mention the majority of the construction intrudes into the natural slope of the canyon significantly below any existing structures in the area and necessitates environmentally intrusive and destructive techniques to facilitate his project.

In support-28 we show a topo overlay of the canyon in 2ft increments, per the DRP GIS web interface, along with measurements to the Millard creek GIS overlay (the south-most line segment attached to each house), and where we believe the true path of the stream to be (the north-most). This shows several things in relation to the five existing houses on the west (canyon) side of Canyon Crest:

1. The minimum lateral distance between our home and the streambed section on our property is among the farthest of these houses. The edge of MM's own house is ~112ft laterally from the edge of the streambed, compared to our ~213ft. We believe the minimum distance to be ~102ft, at 3737 Canyon Crest.
2. The lowest footing elevation of our home is nearly twice as high above the streambed as the edge of 3737 Canyon Crest, the footings of which are at most ~60ft above the streambed and likely less. Although we do not have survey data for the other houses along Canyon Crest, we believe from the GIS data that MM is at most ~115ft from the streambed and likely less. Our survey shows that our lowest footing is (1315-1214=101ft) above the streambed, consistent with the GIS data.
3. The elevation difference from street level to the lowest footing of our house is (1344-1315=29ft), less than the at least 32ft difference at 3737 Canyon Crest. MM's own home is a 2-story structure with one story below street grade.

Our home is in no way an outlier in relation to the few houses already along the canyon. It is neither closest to the streambed vertically or horizontally, nor does it descend deepest into the canyon below street grade.

MM do not clarify what is meant by "environmentally intrusive and destructive techniques." Our foundation construction techniques are common to hillside construction, and other construction techniques are conventional. A pile and grade beam foundation is significantly less disruptive to the

root systems of surrounding oaks than the more common impervious slab-on-grade foundation construction used on many Canyon Crest houses (and the more extensive grading and compaction required of it), or their paved driveways. We further minimize impermeable surface extent by using a permeable driveway material.

Having attended Altadena Town Council meetings when Altadena CSD and HMA were proposed and discussed, we can attest to the fact that this type of "cliffhanger" construction is exactly what these ordinances were intended to prevent.

We believe there is a balanced description of the key and driving reasons for the Altadena CSD Hillside Supplement in this article in the Pasadena Star News: http://www.pasadenastarnews.com/general-news/20100801/altadena-hillside-ordinance-offers-stricter-development-guidelines

Our home is the antithesis of the widely visible and insensitive ridgeline homes that prompted the CSD/Hillside supplement. It is shrouded in oak tree canopy and visible only over a short segment of Canyon Crest Road, and to a limited extent from some Canyon Dell residences. It is not in close proximity to any of the prominent ridgelines, the protection of which is the core of the supplement's purpose.

The project, as planned, would significantly block or alter canyon views of several residences along Canyon Crest Road (3589,3588, 3566, 3556) as well as block the only remaining unobstructed canyon views currently available to all residents, visitors, hikers, riders and other passersby. This is in conflict with HMA section 22.56.215.B.8.

This statement does not communicate the extent to which existing views of the canyon are already blocked by oak tree canopy, which will continue to shroud the house, and by geometry. We have included pictures (support-8 to 12) that portray the extent to which the eye-level view is obstructed on Canyon Crest when driving along it in both a northerly and southerly direction. The pictures portray what portion of the canyon is presently visible and the limited extent to which we will be reducing views of the canyon. We have included views from those neighbors' homes that have any sight line at all to the property (support-13 to 19), which include 3588, 3566 and 3556 Canyon Crest. These similarly portray the extent to which existing canopy and other vegetation on our and their properties already occlude any view of the canyon along the sight lines to our home.

The existing residences along Canyon Crest - including MM's - occlude views to a significantly greater extent by their use of continuous fencing. By contrast, we do not intend any fencing of our property.

The manner in which the aforementioned views would be blocked is clearly evident in the submitted renderings though it is contrary to statements made by the applicant in the application that [the structure] "will not diminish any of the existing views from the street, or of any neighbor."

We again refer to the visuals we've provided in support-8 to 19.

Currently, anyone entering the area comes around a blind curve on Canyon Crest Road and is met with a beautiful, dramatic view into Millard Canyon and beyond. If the proposed project is allowed in any form, that view will be lost forever to everyone.

On support-12 we show the canyon sight line with the largest gap between oak tree canopy i.e. the most extensive view. The view into the canyon is unaffected from this point. On support-10 and 11 we show the view ~20ft farther S (and well off the road), which occludes a modest portion of the limited canyon view from this perspective.

There are several concerns regarding the street (Canyon Crest Road) in terms of access, blockages and delays. Canyon Crest Road is a narrow, winding hillside road with very little available street parking.

We have included in support-3 a parking overlay. There is a flat pad of ~1,000sqft on site, off of the road and outside the footprint of the home, that we intend to use for construction vehicle parking and other staging. There are two parking spots on the shoulder off the pavement of the road on our own lot that are also available for construction staging. Two additional shoulder parking spots extend to the south on 5830-003-017 and parking is available around the SW bend of Canyon Crest as its direction changes to E-W. Additional parking is available on Florecita Dr and Crestford Dr a few hundred feet to the south and on a neighbor's lot across the street (labeled "supplementary neighbor parking") that we have observed John and Michiko Lynch to use. On support-4 we show a broader view of available parking in the immediate vicinity. On support-5 we show street views of cars parked as portrayed on support-3. We pass by this area every day and have never seen all of the available parking used.

It is the only route into or out of "The Meadows" area of about 370 homes that generates hundreds of vehicle passages per day and would be adversely disrupted by construction activities of the magnitude proposed.

Per the LA County Department of Regional Planning (DRP) GIS web interface, there are 227 separate lots with improvements in the Meadows, with all but 6 of those single family residential, and the remainder multi-unit/R-2. Construction vehicles will park on our lot, not in the road, and we do not anticipate significant impacts to traffic.

Such disruptions could seriously inhibit ingress/egress of emergency vehicles, and the free flow of traffic should an emergency evacuation of The Meadows be necessary. Considering these issues, we feel the Los Angeles County Fire Department, Altadena Sheriffs Department and L.A. County Public Works Department should be notified and surveyed regarding potential impacts.

As the paving repair of many utility maintenance excavation trenches along Canyon Crest will attest, as well as our own experience as residents of the Meadows neighborhood up Canyon Crest for several years, a single lane of Canyon Crest has occasionally been closed. A long-side water hookup was installed on our lot in 2005, which spanned the entire road (support-6). The DPW has rules to govern the flow of traffic if a single lane must be blocked off, and we will adhere to those rules. The LA County DPW and Fire Department have reviewed our application to their satisfaction.

We note that per the DPW Sewer Maintenance Division, M.H. 17 of LACSD index map 1906 is accessed to clean the sewer siphon every 60 days. This requires blocking off a lane of traffic on Canyon Crest immediately adjacent to our property (support-31).

Also, what is the projected duration of the proposed construction? Can it be completed in a timely manner?

Conservatively, and in line with our architect's extensive prior experience, we expect one year between receiving our final permits and our move-in date. Much of that period will be similarly impactful to e.g. the second story addition and extensive remodel of our own current adjoining neighbors at 4410 El Prieto Rd in the Meadows. We have personally not been adversely affected by this.

We feel a Completion and Restoration Bond should be required to insure the community will not have to endure an unreasonably long construction period, or unsightly unfinished construction for an

extended period. Considering the scarcity of street parking in the area, where would construction workers and vehicles park? How would this affect current residents who depend on the limited parking to accommodate visitors? A new home squeezed into this small enclave of the community would by definition decrease the availability of street parking for all current residents.

We addressed these concerns above.

What would noise levels be? During which hours daily and on which days of the week would construction be allowed?

Section 12.08 of the LA County code governs this. We will comply at a minimum with all code requirements.

The Soils/Geology Report mentions the possible use of jackhammers. Considering noise levels are amplified in hillside/canyon areas, such activity could seriously disrupt the lives of current residents as well as the abundant wildlife in the area that use the subject property as a Habitat Linkage to the Millard Canyon Wildlife Migration Corridor.

This is one possible mitigation to the presence of boulders in the thin (2-4ft, per the test pits cited in the geotechnical report) layer of alluvial fan that tops the decomposed granite into which we will be drilling. The other cited method was a coring drill: "Should a hard cemented layer or boulder be encountered, coring or the use of jackhammers may become necessary." We may not encounter such a need, and if we did, a (less noisy) coring drill would be used first. Our architect has extensive prior experience with the use of augur and coring drills, even in materials significantly harder than our decomposed granite. They are not particularly noisy, consisting of diesel generator noise, some hydraulics, and the non-percussive friction of the drill, which reduces at depth. At any rate, we will comply with code provisions governing the generation of noise.

There is a flood control culvert that collects water at the east side of Canyon Crest Road and diverts it under the street to the subject property and then down the hillside into Millard Canyon. At times of heavy rain, the flow is extreme, erosive and potentially destructive. It appears the flow path is directly toward the foundation of the proposed structure. We believe it would be unwise to redirect or alter this drainage that has been effectively in use for 100 years or more. Concrete mitigation measures would be unsightly and contrary to the natural character of the canyon. Any "mitigation" measures would likely divert water to an adjacent property causing new patterns of erosion and disrupting the aforementioned Wildlife Habitat Linkage area. We have not seen acknowledgement of this potentially serious problem in any of the applicant's submitted material.

Our neighbors John and Michiko Lynch at 3589 Canyon Crest posted helpful videos that accurately portray the extent to which the flow of water is constrained by the capacity of the 18"D culvert, which is in turn sized for the area it drains:

https://youtu.be/zIbsC2iOQ08
https://youtu.be/Iy04ZghEDCM

The flow can be seen to be on the order of 1ft or less deep in the channel. The corner of our foundation will be situated on a pile founded in bedrock, connected to a reinforced concrete grade beam, supporting a reinforced concrete wall (which in turn is tied into a reinforced concrete garage floor). Our civil engineer has no concern with the stability or erosional characteristics of the home on this foundation corner.

A corner of the foundation slightly encroaches on the existing riprap channel. Flow will be re-routed laterally in the open channel by ~4-5ft (compare support-1 and support-2) around the corner of the house, which does not affect the culvert. In essence we will adjust the location of the channel slightly, which in its natural course takes several similar bends. We have been in communication with the DPW regarding this culvert and open drainage channel, and will preserve it to their satisfaction. This assessment includes a standard hydrology study.

Water will not divert onto adjacent properties during a storm, save that the natural path of the drainage channel already leaves our property and enters 5830-003-017, before exhausting into the canyon on 5830-004-900. Our slight modification of this path upstream and 10-15ft from the property edge - which will not throttle flow - will have no impact to the drainage across either property or the Millard wildlife corridor below, nor can it have any possible impact to the flow under Canyon Crest through the culvert, being more than 10ft in elevation below the level of the culvert.

The currently submitted plan features a deck in the western elevation that, if permitted, allows an unobstructed and invasive view into our back yard and pool area which would completely compromise and violate our privacy and prevent us from enjoying our property in the manner we have been accustomed to for the past twenty years.

We believe the existing view from John and Michiko Lynch' (JM's) patio at 3589 Canyon Crest is less preserving of MM's privacy than will be our own (support-23), being both from a greater elevation, nearer, and less occluded in some ways of the backyard area MM is referring to. Per the survey and architectural elevations, the floor level of our deck is 1336.5 ft, compared to ~1342ft on JM's patio and MM's backyard. The floor of these areas is therefore at about eye level when standing on our deck. This view is partly occluded by vegetation and by the fenced patio of JM. In support-23 we show the view from what will be eye level on the deck, at its worst location for such visibility. MM's backyard area is barely visible through occlusions and 80+ft distant at this location.

We no more desire to look into MM's backyard than they desire to be looked upon, and we share a desire for privacy on our deck. This is one of the primary reasons why the home has no northerly glazing. We intend to screen whatever view remains with vegetation.

The same balcony would allow invasive unobstructed views into our neighbors' home and patio area (3589 Canyon Crest). The proposed structure would also diminish their viewshed and thereby decrease the value of their property.

We have addressed this in our reply to JM. On support-23 we show the remaining viewshed from the center of JM's patio. It is nearly unaffected.

Additionally, (though the current preliminary plans do not show it) if a window were installed in the north facing loft wall, it would also allow intrusive views of our back yard and pool area. We are concerned if the project is permitted, final design/construction may include such window(s).

We have no reason or intention for such a window. Even if we did have such an intention, the only conceivable place for this glazing in order to look over JM's home would be the NE corner, and there is no view through the existing oak tree canopy on our and JM's lots, over JM's roof to the complete screen of vegetation that separates a portion of the boundary between JM's home and MM's home and backyard/pool area 100+ft away.

As we are very familiar with the area, it appears upon examination of the submitted plans that the full degree of slope has been grossly misrepresented in plan drawings.

The slopes are accurately interpolated from the topographic lines portrayed on the site plan/survey, and are noted on the slope density map we submitted as part of our hillside minor CUP application. A record of survey is filed with the county establishing the proper methodology of the survey, by a licensed surveyor and civil engineer.

We are also not convinced of the accuracy of the grading cut and fill estimates of 15 cubic yards respectively and we suggest Regional Planning revisit these items before considering the granting of a Minor CUP.

This is the best estimate of our architect and two orders of magnitude away from the 2,500cy of grading to trigger a review per the Altadena CSD hillside management guidelines, 22.44.127.C.2.c.i. Because the grading amount is so small, the level of precision native to the survey impacts the figures. A slightly higher amount would make no difference to this process.

We realize the applicant has the legal right to remove and alter the oak trees on the property. We (and most of our neighbors) are against the removal or alteration of any oak trees. Regardless of claims and suggestions in "The Oak Report", we know the oaks in question are stressed from an extended drought, and that any removal, excessive alteration of foliage and/or root disturbance due to construction activities will likely result in the eventual death of several, if not all of the trees, and replacement of each with one or two "15 gallon" size oaks is not really an acceptable alternative as this particular grove in and of themselves constitute an important element of the overall character of this section of the neighborhood.

It was not the opinion of the professional arborist we hired to assess this that the encroached oak trees are likely to die, as we iterated with him on the footprint of the house. He notes that the "minimum industry recommendation for excavation on one side of a tree is 5x the trunk diameter." Trees #4, #7 and #8 were noted in the report as having retaining wall excavation within their protected zones. Tree #8 fully complies with the industry recommendation, with encroachment only "1ft into the protected zone" and a ratio of more than 10. Tree #7 is 27.5" in diameter with excavation estimated to be 72" from the edge of the trunk. While this ratio of 2.6 is lower than the recommended 5, the depth of excavation will be reduced and trail off to nearly nothing at the minimum encroachment distance. Over the remainder of the footprint, the report notes that "it does not appear that a significant portion of the root system of any of the trees would be impacted by a minimum 24-inch diameter hole, and the overall health and stability of the trees should not be compromised."

We also note that oak tree #1 is 2.9' in diameter. 5x this distance would be 14.6ft. Oak tree #1 has had two separate encroachments that have violated the minimum encroachment distance recommendation in the past 20 years (support-26), and yet is assessed a grade of "A" for health and vigor in the oak tree report. In 1994, a previous owner of JM's property filed for a permit for an overflow seepage pit (http://dpw.lacounty.gov/bsd/nas/5830/003/003/3589%20N%20CANYON%20CREST%20RD%20%20007508982.pdf). The as-built record for this seepage pit was obtained from Watson Plumbing (support-27), the contractor noted on the application, which shows the overflow seepage pit to be under JM's driveway, a distance of at most 6.9' from the surveyed edge of oak tree #1. This encroachment had a ratio of 6'/2.9' = 2.2, and a water meter and lateral installation on our lot by a previous owner in 2005 had a ratio of 7'/2.9'=2.5, consistent with the values we are using for trees #4 and #7. We further note that these encroachments were on opposite sides of the tree and included the conventional construction of laterals. We contend this is as or more severe than the encroachments of our construction activities. We believe MM are overstating the likelihood of death or debilitating damage.

In conclusion, based upon the stated objections as well as several others, we are strongly opposed to the granting of a Minor CUP for this project.

We hope we have addressed the concerns of Michael and Mindy. We regret that they did not bring these concerns to us prior to forming their opinions, as we had invited them to by letter. Those neighbors we did have the pleasure to speak with came away with largely positive impressions, and most did not write opposition letters. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

Kristina,

We have attempted to address inline the concerns that John and Michiko (hereafter JM) have brought up. We have tried to attribute professional opinion and photographic evidence where possible. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to JM overlap with those of other neighbors.

The steep loose hillside the applicant is proposing to build on is already eroded and appears unsafe to build on.

Quoting from the geotechnical report, "It is the finding of Irvine Geotechnical that construction of the proposed project is feasible from a geologic and soils engineering standpoint, provided the advice and recommendations contained in this report are included in the plans and are implemented during construction." Furthermore, "The analysis shows that the subject property and existing slopes are grossly stable with a factor of safety in excess of 1.5 under static conditions and in excess of 1.0 under seismic conditions. The calculations use the shear tests of samples believed to represent the weakest earth materials encountered during exploration. The cross section and geologic structure used are the most critical for the slopes analyzed."

Any additional disturbance will send sediment and large boulders down into the canyon where it could damage the sensitive riparian ecosystem or possibly injure hikers walking up the canyon.

The limited excavation (and we attribute "limited" to a 15cy cut, compared to a threshold of 2,500cy of grading to trigger a review per the Altadena CSD hillside management guidelines, 22.44.127.C.2.c.i) will not send boulders down into the canyon. Excavation will be by hand to allow for controlled root pruning or preservation where possible, per mitigation measure #4 of our oak tree report.

The degree of the slope appears to have been greatly underestimated on the plans and on the application and needs to be verified by the county.

The slopes are accurately interpolated from the topographic lines portrayed on the site plan/survey, and are noted on the slope density map we submitted as part of our hillside minor CUP application. A record of survey is filed with the county establishing the proper methodology of the survey, by a licensed surveyor and civil engineer.

The Altadena hillside management ordinance clearly states that Development is designed so that all areas with a natural slope of 25 percent or greater remain in a natural state.

The CSD states in 22.47.127.C.2.b:
"A minor conditional use permit, as provided in Section 22.56.085 shall be required for any development that is not otherwise subject to a conditional use permit pursuant to Section 22.56.215, except for:
(A) Additions to a structure that was legally established prior to the effective date of the ordinance creating this subsection;
(B) New accessory structures; and
(C) Development designed so that all areas with a natural slope of 25 percent or greater remain in a natural state."

In other words, though LA county code does not treat this as a violation, a minor conditional use permit should be triggered if such development occurs in Altadena. This warrants feedback and consideration from the community, which may with sufficient concern trigger a hearing so that all have a chance to voice their concerns publicly, and they can be assessed. This is the process that we are following. This is not a prohibition on such development, just as the code does not intend to completely prohibit new accessory structures. It is a mechanism for proper review.

Granting this CUP will set a new precedence and encourage the development of other steep lots in the area that were previously unbuildable with traditional building techniques.

Any other development will be held to the same modern standards that we are. Neighbors can effectively seek to prevent development by purchasing the few vacant lots that remain in the area.

Canyon Crest Road is a narrow two lane street with no street parking and very few shoulders. It connects Lincoln Avenue on the East with a residential area of over 280 homes called the Meadows.

Per the LA County Department of Regional Planning (DRP) GIS web interface, there are 227 separate lots with improvements in the Meadows, with all but 6 of those single family residential, and the remainder multi-unit/R-2. We have lived in the Meadows for several years.

Canyon Crest Road is the only street providing ingress and egress to this community. Canyon Crest is a known problem spot to the CHP for speeding. There have been many accidents over the years because of the many blind curves. There is very little level ground or parking around the proposed project to stage equipment, park the vehicles of contractors or those carrying materials.

We have included in support-3 a parking overlay. There is a flat pad of ~1,000sqft on site, off of the road and outside the footprint of the home, that we intend to use for construction vehicle parking and other staging. There are two parking spots on the shoulder off the pavement of the road on own lot that are also available for construction staging. Two additional shoulder parking spots extend to the south on 5830-003-017 - which should remain open during construction - and parking is available around the SW bend of Canyon Crest as its direction changes to E-W. Additional parking is available on Florecita Dr and Crestford Dr a few hundred feet to the south and on a neighbor's lot across the street (labeled "supplementary neighbor parking") that we have observed JM to use. On support-4 we show a broader view of available parking in the immediate vicinity. On support-5 we show street views of cars parked as portrayed on support-3. We pass by this area every day and have never seen all of the available parking used.

Blocking even one lane of Canyon Crest Road could impede access not only to residents but also to emergency responders and fire trucks in a very high fire danger area. The application is deficient because it does not address and mitigate this issue. It will be necessary for the applicant to identify a staging area for the construction workers vehicles and for deliveries to the site.

As the paving repair of many utility maintenance excavation trenches along Canyon Crest will attest, as well as our own experience as residents of the Meadows neighborhood up Canyon Crest for several years, a single lane of Canyon Crest has occasionally been closed. A long-side water hookup was installed on our lot in 2005, which spanned the entire road (support-6). The DPW has rules to govern the flow of traffic if a single lane must be blocked off, and we will adhere to those rules.

We note that per the DPW Sewer Maintenance Division, M.H. 17 of LACSD index map 1906 is accessed to clean the sewer siphon every 60 days. This requires blocking off a lane of traffic on Canyon Crest immediately adjacent to our property (support-31).

The ultra-modern design of the structure does not at all fit in with the feel or look of the neighborhood. The newest homes on the street were built in the early to mid-century style. There are no other four story homes in the area and none that rise to such a height on the canyon side of the street.

The characterization of the home as "four story" is potentially misleading. It is accurately no more than two stories above grade, over any part of its footprint. Nearly all of the square footage is below street grade, with only the garage/loft at or above street level. The number of stories is driven by our desire to reduce impacts to the oak trees already present, and to minimize visual impacts. This forces the footprint of the house to extend down the hillside, which results in a tiered design. If we were to remove the lowest of these levels, the shell of our home would remain unchanged. The east elevation has a maximum height of ~31ft above grade, but its average height is ~22-24ft above street grade.

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own exist within the 300ft radius - at 3556 Canyon Crest and 3535 Canyon Ridge (support-7). These appear to have street-facing facades with equal or greater average height to our own, and 3535 Canyon Ridge appears to have an equal or greater maximum height.

We note that a similarly hilly site resulted in a 4+ story layout on 1232 Rubio Vista Rd, Altadena (support-30), among just those Altadena residences for sale in the recent past.

We do not believe there are any other examples in all of Altadena that are built in the "Hollywood hills" style of architecture and therefore it does not conform to the Altadena CSD that clearly states the intent and Purpose of The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts.

We designed our home around the natural topography of the hillside and the oak trees in which it is shrouded. It is modern to the extent that a conventional single story home is unsuited to the preservation of oak trees on our site.

Altadena is a quirky mix of a large number of architectural styles, including several examples of true moderns, as well as many fine examples of mid-century moderns. There are homes in Altadena with great modern style by Gregory Ain, Frank Lloyd Wright, Jack Simison, Buff, Straub and Hensman and others. The Altadena Heritage Society celebrates the "radically modern" homes designed by Ain in Altadena's Highview block of houses (http://altadenaheritage.org/the-aha-program/). The first Altadena Heritage Area was a section of street on N Garfield: "It was chosen because the 20 small houses on the street, a subdivision built in an old olive grove in the 1930s, represented just about every architectural style then prevalent. You'll find Spanish to Cotswold cottage to traditional homes on North Garfield." Altadena has no single characteristic style, and includes examples of true modern homes (support-32). We value the diversity of the community.

We note that the matte, vertically seamed metal cladding we've chosen - in addition to being non-combustible in this fire-prone area - is aesthetically consistent with the vertically seamed wooden cladding used in several Canyon Crest residences. There are also many examples in Altadena of (fire resistant) standing seam metal roofs. The green color of the cladding is consistent with 3737 Canyon Crest, which is sited in similarly steep terrain (support-21, bottom right) much nearer the streambed than our home (support-28).

We note that the mean square footage of the 19 residences within the 300ft minor CUP mailing radius to be 2,047sqft, per the LA County Department of Regional Planning (DRP) GIS information (support-29). Depending on whether the loft is counted in square footage (and given that it is unconditioned storage space that extends the utility of our garage, Building and Safety agrees it should not be), our house is either ~1500sqft or ~1700sqft.

The east wall of our home is an average of ~22-24ft above street grade, depending on the referent. At the SE corner of this wall, it tapers to 15-17ft above street grade. Oak tree canopy will obscure the upper edge of this wall, as seen from the street and other residences.

As previously mentioned, two examples of homes with 2.5 or 3 story facades facing the street exist within the 300ft radius of the minor CUP mailers.

Our design is consistent with the variety in size and scale of the eclectic group of existing residences in the lower Canyon Crest area.

The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas. Contrary to what is stated on the application, the proposed structure will block Canyon views from the street and many of our neighbors' homes.

This statement does not communicate the extent to which existing views of the canyon are already blocked by oak tree canopy, which will continue to shroud the house, and by geometry. We have included pictures (support-8 to 12) that portray the extent to which the eye-level view is obstructed on Canyon Crest when driving along it in both a northerly and southerly direction. The pictures portray what portion of the canyon is presently visible and the limited extent to which we will be reducing views of the canyon. We have included views from those neighbors' homes that have any sight line at all to the property (support-14 to 19). These similarly portray the extent to which existing canopy and other vegetation on our and their properties already occlude any view of the canyon along the sight lines to our home.

The views of the canyon and trees are the primary factor that drives property values in our neighborhood. The structure will also clearly be visible from many of our back yards where we all currently enjoy unobstructed panoramic views and complete privacy.

The claim of "complete privacy" is misleading. Residences along Canyon Dell Drive in the Meadows above share views into the backyards of Canyon Crest residences. In support-20 and 21, we have annotated the views and site lines of neighbors into our and other residences along the W side of Canyon Crest Rd. Furthermore, the backyards of some residences along Canyon Crest do not have "complete privacy" from adjacent lots. The backyard adjacent to the pool area of 3619 Canyon Crest has a view onto JM's patio and westerly facing glazing over a waist-high wall that appears less preserving of privacy than the one we will have from the nearest edge of our deck (support-23), absent any other screening.

Oak tree canopy and other vegetation will also obscure our view of neighbors' residences and their view of ours. This is true of all the residences along Florecita to the south, and is also true of views from houses on the E side of Canyon Crest, per support 14 to 19.

We have no northerly facing glazing, out of a desire to preserve our own and JM's privacy. The easterly facing glazing is limited to a single window in the loft, which will be obscured by oak tree canopy, and which provides a view very similar to, if one story higher than, the view available on the road. The southerly and westerly glazing do not look on any homes, save that the westerly view looks

on the (substantially higher) residences on Canyon Dell that already share views with the other neighbors along Canyon Crest, where not obscured by the canopy of oak tree #10.

The proposed structure will not only block views from both our patio and inside our home. But the applicant will also be able to look directly into our home from their proposed balcony.

We again leave pictures to portray the extent to which the worst spot on JM's patio (the SW edge) will be occluded more than it is already by oak tree canopy. We show that even without further mitigation we will not be able to look into JM's home, and we intend to create an additional screen of vegetation along the N edge of our deck to completely eliminate any limited view of his patio that might remain. JM have a small amount of southerly facing glazing that looks onto their carport and a screen (support-22).

Per the survey and architectural elevations, the floor level of the deck is 1336.5 ft, compared to ~1342ft on JM's patio. The floor of his patio is therefore at about eye level when standing on our deck. This view is partly occluded by vegetation, by the head-high fence JM have installed along the south edge of their patio, and by the waist high fence installed along the west edge. This geometry means most of JM's patio is not visible from our deck, without any further modification. In support-23 we show the view from what will be eye level on the deck, at its worst location for such visibility. We no more desire to look into JM's home than they desire to be looked upon, and we share a desire for privacy on our deck. This is one of the primary reasons why the home has no northerly glazing. We intend to screen whatever view remains with vegetation.

For JM's parts, they may also extend or alter their fence or vegetation. A fence is the primary means of privacy for many homes that are immediately adjacent to Canyon Crest - both from street traffic and from adjacent residences - and serves as a buffer between their home and the pool area of 3617 Canyon Crest ~30ft north of the edge of their home. The view from the worst part of JM's patio S and SW is already mostly obscured by the canopy of trees 7, 8 and 9 (support-24) and does not look directly into the canyon.

In addition to the removal of one mature oak and many rare fruit trees, the construction of the proposed project will severely impact and likely kill at least three additional mature Oaks trees that are already stressed from years of drought.

It was not the opinion of the professional arborist we hired to assess this that the encroached oak trees are likely to die, as we iterated with him on the footprint of the house. He notes that the "minimum industry recommendation for excavation on one side of a tree is 5x the trunk diameter." Trees #4, #7 and #8 were noted in the report as having retaining wall excavation within their protected zones. Tree #8 fully complies with the industry recommendation, with encroachment only "1ft into the protected zone" and a ratio of more than 10. Tree #7 is 27.5" in diameter with excavation estimated to be 72" from the edge of the trunk. While this ratio of 2.6 is lower than the recommended 5, the depth of excavation will be reduced and trail off to nearly nothing at the minimum encroachment distance. Over the remainder of the footprint, the report notes that "it does not appear that a significant portion of the root system of any of the trees would be impacted by a minimum 24-inch diameter hole, and the overall health and stability of the trees should not be compromised."

We appreciate that John is experienced, but he is not unbiased in his assessment.

Oak tree #1 is 2.9' in diameter. 5x this distance would be 14.6ft. Oak tree #1 has had two separate encroachments that have violated the minimum encroachment distance recommendation in the past 20 years (support-26), and yet is assessed a grade of "A" for health and vigor in the oak tree report. The encroachment by previous owners of JM's home in constructing a 5' diameter and 35' deep overflow

seepage pit under their driveway near the street in 1994 (described further below) had a ratio of 6'/2.9' = 2.2, and a water meter and lateral installation on our lot by a previous owner in 2005 had a ratio of 7'/2.9'=2.5, consistent with the values we are using for trees #4 and #7. We further note that these encroachments were on opposite sides of the tree and included the conventional construction of laterals. We contend this is as or more severe than the encroachments of our construction activities. We believe JM are overstating the likelihood of death or debilitating damage.

Encroachments into the protected zone of Oak # 4 # 5and #7 far exceed industry standards. The radical pruning and the removal of major limbs and roots necessary to accommodate a 30' plus high structure and an additional 10 feet of clearance around the structures required by the Insurance industry far exceeds current ANSwe pruning standards.

The claim that 10 feet of clearance around the structure is required is unsupported. Many structures along Canyon Crest and the immediate vicinity would be in violation of such a rule, and we include two examples of lovely homes within the mailer radius that co-exist successfully with oaks that have grown within inches of their walls and roofs (and for which even soffits have been rebuilt to accommodate). These are the two homes immediately to the S of the property (support-25). The LA County Fire Department Forestry Division reviewed and approved our plans – including the offsets to the existing oak trees.

Removing over 30% of their live canopy will further stress the Oaks and ruin their natural form forever.

Many of the oak trees along Canyon Crest are not in their natural form. The oak trees on our and JM's property have been trimmed to avoid power lines, and many of the trees adjacent to Canyon Crest have been trimmed to meet the requirements of road traffic.

We are pruning three of the ten trees near the road, and one of these only slightly if at all. The canopy of the other six trees to remain - including the largest - will not be touched.

These Oaks are the main reason we purchased our home and they give our neighborhood its distinct character. They also provide valuable shade, wildlife habitat and increase the surrounding property values. The applicant has repeatedly stated that they have gone to great expense to preserve the canopies of the Oaks. However as a tree care professional with over 20 years of experience, we do not believe that the applicant has clearly represented the severity of the encroachments into tree canopies and root zones in the plans or renderings he has provided to the county and our neighbors. The application is deficient because it does not identify and mitigate this issue.

The oak tree canopies and trunk locations are accurately portrayed on the site plan, as measured by our ISA-certified arborist, and as surveyed by a professional civil engineer. Our design is driven by the desire to preserve the oak trees as best we can. On our lot, it is not possible to preserve every tree or all of the canopy, but we believe we have responsibly balanced constraints in minimizing the extent of removal.

There are multiple known prescriptive easements across this lot including an aging public sewer pipe that services the Meadows. This pipe is a known problem spot to Public works. It has overflowed into the creek on several occasions and might be in need of upgrading at some point in the near future.

Per Fernando Villaluna of the DPW sewer maintenance division, this sewer siphon is on a 60-day cleaning schedule after a stoppage in 2009 resulted in overflow of 200 gallons of sewage at M.H. 16 of sewer index map 1906, the location of which is noted on the survey in the extreme upper left of support-1 as SSMH. The state water resources control board lists this as the only category 1 sewage

incident in their records for this sewer siphon. The incident report can be found here: https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportId=sso_detail_report&reportAction=generate&sso_spill_id=742859. The source was attributed to rags in the siphon. The sewer maintenance division expressed no concern with the general state of repair of the siphon. The mechanism of this failure - overflow at a manhole - is consistent with an otherwise properly functioning sewer line.

If this pipe is damaged somehow during construction or access to it is blocked for its repair there could have a major environmental disaster. The application is deficient because it does not mitigate the damages that development of the property could cause.

The sewer siphon has a 10ft easement as noted on the site plan, and the edge of the nearest pile will be ~5ft from the edge of this easement. Access to service this sewer will remain to the stated satisfaction of the DPW sewer maintenance division, who has reviewed our site plan.

A culvert that drains Canyon Crest's runoff is located right in the middle of the lot and has cut a deep drainage right where the applicant is proposing to build the foundation of their structure.

A corner of the foundation slightly encroaches on the existing riprap channel. Flow will be re-routed laterally by ~4-5ft (compare support-1 and support-2) around the corner of the house. In essence we will adjust the location of the channel slightly, which in its natural course takes several similar bends. We have been in communication with the DPW regarding this culvert and open drainage channel, and will preserve it to their satisfaction. This assessment includes a standard hydrology study.

If this watercourse is somehow diverted away from the foundation it could further erode the adjacent owner's hillside which consists only of loose fill. The application does not address and resolve the issue that the proposed building improvements will cause high volumes of water to drain onto adjacent properties during a rain storm.

Water will not divert onto adjacent properties during a storm, save that the natural path of the drainage channel already leaves our property and enters 5830-003-017, before exhausting into the canyon on 5830-004-900. Our slight modification of this path upstream and 10-15ft from the property edge - which will not throttle flow - will have no impact to the drainage across either property or the Millard wildlife corridor below, nor can it have any possible impact to the flow under Canyon Crest through the culvert, being more than 10ft in elevation below the level of the culvert.

The only flat area on the proposed site consists of fill that was originally dumped during the construction of our home sometime before 1949. This area was not included in the soils report and might be unstable.

This material was explicitly addressed in the soils report on page 7 as "fill". Separate recommendations relating to the terra-mechanical properties of the fill are noted on page 18 and 22. An allowed cut of 1:1 demonstrates the degree to which the stability of JM's property can be unaffected by the excavation, as the property line is more than 30ft away.

Contrary to statements made in the application, the flat area has been in continuous use for storage and off street parking by the occupants of our home and their/our guests for over 65 years which has created a prescriptive easement.

If JM believe there is an "exclusive" prescriptive easement for parking and storage, they may pursue that claim in the proper legal venue.

The applicant mentions "occasional" use of this area by our property when in fact it is daily. There is nowhere else for us to park because there is no shoulder on Canyon Crest and because overnight parking is not permitted in excess of 72 hours. The application is deficient because it does not accurately describe the historical use and mitigate the impact to that use that would be caused by the proposed building. Having no where to park our vehicles during or after construction of this project will be a great burden to us and make our home difficult to rent or sell in the future.

It is misleading for JM to say that they will have nowhere else to park. JM have a single width parking area on their lot. We have observed they have at times parked both of their cars in such a way that they can fit without extending into the pavement of the road. Our survey shows this distance to be 40.6ft, which is more than the 2x18ft depth required of two stacked single full-size parking spots (at 18x8.5ft, per http://ladbs.org/LADBSWeb/LADBS_Forms/InformationBulletins/IB-P-ZC2002-001ParkingLotDesign.pdf). We show these stacked spots on support-3. Fundamentally, JM own a home that is not compliant with the modern code requirement for two non-stacked covered parking spaces.

As accommodating neighbors, we have in the past stated to JM that we are willing to discuss terms for their use of a single width parking area on our land after construction is complete, so that they are not forced to either a.) stack park or b.) explore alterations to their front yard and fence that would enable them to park two cars on their own property without stacking or c.) arrange to park one car off their lot indefinitely. During construction, they may either stack park, park along the shoulder off of our lot per those spots identified in the parking overlay (support-3 and 4), along the bend of Canyon Crest, along Florecita or Crestford, or arrange for temporary parking with one of our neighbors. We have observed JM to park in the spot labeled "supplementary neighbor parking" before, immediately across from our lot. "Overnight" parking should not need to exceed 72 hours. We have observed cars to park overnight both on our lot, the adjacent lot, and the bend in Canyon Crest without incident. Furthermore, there should be no mechanism for ticketing the parking spots on our lot and the adjacent property because they are outside the road easement, just as people are not ticketed for parking in their own driveways.

In addition, our septic tank leach field lies directly beneath where the architects are proposing a new driveway and a sewer hookup. Cutting off or damaging our leach field would not only deprive the Oak trees of their only supplemental source of water during the drought but also would be a great burden for us to relocate as there is no other flat area on our parcel to accommodate it. It would be necessary for the applicant to mitigate this issue by connecting our house to the sewer system located under Canyon Crest Drive.

We had invited JM previously to investigate with the LA County DPW. Their publicly available records refute this claim. In 1994, a previous owner of their property filed for a permit for an overflow seepage pit (http://dpw.lacounty.gov/bsd/nas/5830/003/003/3589%20N%20CANYON%20CREST%20RD%20%20007508982.pdf). The as-built record for this seepage pit was obtained from Watson Plumbing (support-27), the contractor noted on the application, which clearly shows the overflow seepage pit to be under JM's driveway. Furthermore, it shows an existing (failed) seepage pit to be further west under their patio. Despite asking them several times, JM have failed to provide any supporting information for their claims of a leach field on our property. Our title report shows no easements for a leach field were recorded, and we think it unlikely the original owners of 3589 Canyon Crest would have been permitted to site a leach field on land they did not own.

We again draw attention to the health of oak tree #1 despite this activity, as well as the water meter and lateral installation opposite the trunk. We believe JM's earlier claims about the intolerance of these trees to root zone encroachment are overstated.

We also note that environmental health regulations do not allow siting leach fields within the protected zone of oak trees (http://www.publichealth.lacounty.gov/eh/docs/ep_lu_OWTS_procedures.pdf, III.E.3). The rationale for this is that coast live oaks do not tolerate year-round water. This often leads to root rot when coast live oaks coexist with landscape/lawn irrigation. The presence of a leach field - were it to exist - would be a detriment to the health of the oak trees we are trying to preserve, not an aid.

Also contrary to statements made in the application, the property of the proposed development has been well maintained for ten years at our exclusive expense. The property has been kept in compliance with all fire codes and those that are required for keeping our insurance. Rare fruit trees, Big Cone Douglas Fir and native Cypress have been cultivated and irrigated on the site of the proposed foundation. Countless invasive plants have been removed from the hillside and stream bed below. We have also had all the Oaks that are numbered professionally pruned multiple times as noted in the Oak tree report.

Irrigation within the protected zones of oak trees is not recommended, per the LA county Fire Department Forestry Division, which was a condition of our fuel modification plan. The majority of the footprint of the home exists within these protected zones, as the site plan portrays. The trees to which he is referring are small, and we do not believe JM planted them in the footprint of our home. Neither are they protected were they to have been.

We have attached the links of two videos of the culvert and drainage mentioned. The videos were taken directly above and below proposed foundation site during a recent summer storm in July of 2015:

https://youtu.be/zIbsC2iOQ08 https://youtu.be/ly04ZghEDCM

These videos accurately portray the extent to which the flow of water is constrained by the capacity of the 18"D culvert. The flow can be seen to be on the order of 1ft or less deep in the channel and is not concerning. The corner of our foundation will be situated on a pile founded in bedrock, connected to a reinforced concrete grade beam, supporting a reinforced concrete wall (which in turn is tied into a reinforced concrete garage floor). Our civil engineer has no concern with the stability or erosional characteristics of the home on this foundation corner.

Please carefully consider all of our concerns and those of our neighbors and also please verify the accuracy of all the statements made in the application before issuing a CUP for the development as proposed.

We hope we have addressed the concerns of John and Michiko. We regret that they did not bring these concerns to us prior to forming their opinions, as we had invited them to by letter and over email exchange. Those neighbors we did have the pleasure to speak with came away with largely positive impressions, and most did not write opposition letters. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

Kristina,

We have attempted to address inline the concerns that Laura and John (hereafter LJ) have brought up. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to LJ overlap with those of other neighbors.

As ten-plus-year residents of 3665 Canyon Crest. we find this proposed project questionable at best and certainly undesirable across a range of dimensions.

It's also quite puzzling to us as we were told during the diligence process of purchasing our place in the spring of 2005 that development of the rear portion of our lot. along the same canyon side of Canyon Crest. had been explored in the late 1990s and deemed prohibited by zoning authorities (beyond the point of a simple inquiry. loans were made against future construction and ultimately defaulted upon). a decision that led to the sale of the property by the then current owner. Given that our property has far more "street level" real estate. it's puzzling that this lot would be acceptable for construction when ours was denied.

Although we are are unclear as to whether LJ are referring to a potential subdivision of their lot or to parcel 5830-003-014 (which is separated at street level by 3737 Canyon Crest), we believe this is unrelated, as each vacant lot has its own unique constraints.

Although we realize this is somewhat obvious upon inspection. it seems necessary to reiterate a few fundamental flaws with this real estate as a potential housing site:
* the high volume of traffic that flows through this road from the Meadows given the lack of an alternative entry/exit point. As we were all reminded of during the Station Fire a few years ago. the amount of housing that exists in that neighborhood with only one road in and out is baffling by a modern view of emergency planning. Adding another house along this pinch point - one located on a blind curve of all places - this is a remarkably short-sighted and potentially dangerous idea.

As the paving repair of many utility maintenance excavation trenches along Canyon Crest will attest, as well as our own experience as residents of the Meadows neighborhood up Canyon Crest for several years, a single lane of Canyon Crest has occasionally been closed. A long-side water hookup was installed on our lot in 2005, which spanned the entire road (support-6). The DPW has rules to govern the flow of traffic if a single lane must be blocked off, and we will adhere to those rules. The LA County DPW and Fire Department have reviewed our application.

Our home is not sited along a blind curve. It has a clear view in either direction – including across a gentle curve to the south - and has been used for parking for many years. The marginal traffic added by our home in relation to the nearly 230 homes of the Meadows is insignificant.

* As a residence with a somewhat sizeable driveway on the Canyon side. we can speak with authority on the dangers of speeding cars along this road. Our fence has been hit by numerous cars over the years. How an additional residence could be safely added to this curve is frankly difficult to understand.

Our home is significantly farther removed from the road than their fence, and we do not intend to fence our lot. For our part, we do not exceed safe speeds when driving on Canyon Crest.

* From a setting and terrain perspective, the proposed home would blend into the neighborhood as if aliens descended in the middle of the night and deposited here. Unfortunately, that would be a more elegant solution compared to what feels like a high-risk "let's get started only to run into unanticipated problems and turn a pleasant vista and canyon view for several nearby homes into a half-built eyesore for years and years to come." This outcome seems too likely -- maximizing environmental damage (and noise) in the short-term in the name of someone presumably opportunistically tries to flip a tax sale purchase of real estate. Homes in 91001 are readily available for sale. This piece of land should have just been absorbed into the county inventory when the opportunity availed itself, and I strongly suspect that if people were made aware of it's availability, funds could have been raised to do so, likely to greater financial benefit of the county. Although that ship has seemingly sailed, it would be ideal and highly desirable to not compound the situation with additional shortcomings in long-term thinking to the significant detriment of an entire immediate and extended neighborhood.

We found our lot for sale in a public real estate listing. Every neighbor who wanted to see a different use for it than its zoned purpose had the opportunity to purchase it then. The sellers indicated that our neighbors to the north at 3589 Canyon Crest were contacted explicitly and chose not to purchase.

We regret that Laura and John did not bring these concerns to us prior to forming their opinions, as we had invited them to by letter. Those neighbors we did have the pleasure to speak with came away with largely positive impressions, and most did not write opposition letters. We are happy to provide any additional supporting information that may be useful.

Regards,

Stephen and Vandana

Thank you for your attention and thoughtful review to this matter.
Regards,

Laura Randall/John Kimble
3665 Canyon Crest Rd
(H) 626-798-8382

Kristina,

We have attempted to address inline the concerns that MaryEllen has brought up, in her three separate letters, which we address serially below. We have tried to attribute professional opinion and photographic evidence where possible. We refer here to the supporting document provided to you in lower resolution by email and available in its highest resolution here: https://dl.dropboxusercontent.com/u/1354273/R2014-02411_support_maxres.pdf?dl=0. We will refer to this below as support-[page number]. Some of our replies to MaryEllen overlap with those of other neighbors.

As a long term resident of Altadena, I am writing to you concerning the project number referenced above. This project is inappropriate for the area and is in direct conflict with the Altadena Community Standards and the county hillside ordinances. The Community Standards are in place to prevent the construction of homes or developments that are unsuitable or out of scale with the surrounding properties. This proposed new structure is clearly in violation of these regulations.

Our home fully conforms to the quantified standards laid out in the LA County code and Altadena Community Standards District, including those of zoning, height above grade, stories above grade, setback and square footage.

The property owners have created a very slick, professional, and attractive website and presentation that they use to make the case that the building will be a positive addition to the community. It's a convincing sales pitch, but much of the information is at the very least misleading. For example, the repeated claim that the house is 1500 square feet is untrue. A look at the plans on file with the county shows a larger construction, and the square footage does not include a huge second story "loft" on the garage.

Our Building and Safety building permit plans note a livable square footage of 1435sf, which we have rounded up to ~1500sf. Depending on whether the loft is counted in square footage (and given that it is unconditioned storage space that extends the utility of our garage, Building and Safety agrees it should not be), our house is either ~1500sqft or ~1700sqft. We note that the mean square footage of the 19 residences within the 300ft minor CUP mailing radius to be 2,047sqft, per the LA County Department of Regional Planning (DRP) GIS information (support-29).

The claim that the construction will be 20 feet above grade is actually an 'average' of how tall the structure is - the highest point will be 32 feet above street level (the equivalent of a three story structure), looming over the houses on each side and blocking or partially blocking the view into the canyon from three different houses on the other side of the street. The property values of the homes nearby will be adversely impacted by this project, as well as the quality of life of the nearby residents.

We have accurately described the dimensions of our home on our website with this statement: "The street-facing (east) wall of our home is angled, with a minimum height nearly half the maximum height. The average height of this wall is ~22-24ft above street grade, depending on which part of the street frontage is measured. At one end, it drops to 15-17ft above street grade. At the other, it rises to ~29-31ft above street grade, but as the apex of a variable-height wall (and the highest roof elevation), this figure cannot be taken in isolation to represent the size or massing of the home."

We have included views from those neighbors' homes that have any sight line at all to the property (support-13 to 19).

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own (which will be shrouded to a significant extent in oak tree canopy) exist within the 300ft radius - at 3556 Canyon Crest and 3535 Canyon Ridge (support-7). These appear to have street-facing facades

with equal or greater average height to our own, and 3535 Canyon Ridge appears to have an equal or greater maximum height.

In addition to the impact on the immediate neighbors, there is a significant impact on residents during the construction phase. (estimated to last at least a year).

We state on our website that "we expect at most one year between receiving our final permits and our move-in date. Impacts will ebb and flow over this period, but reduce significantly after the shell is up and work moves inside." Completion of the framing of our house – when material deliveries are largest – will be significantly faster than one year.

Canyon Crest Road is a very narrow, winding mountain road, and is the only access road into or out the the neighborhood. If this road is even partially blocked, emergency and fire vehicles cannot access the neighborhood.

The DPW Traffic & Lighting Division has rules for single lane closures that take into account minimum lane widths for emergency vehicle access. Our website notes that a single lane is regularly blocked for scheduled cleaning of the sewer siphon that outlets near the edge of our property, which occurs about every 60 days (support-31).

There is no way that the construction for this project will not block the street. The builders claim that the construction equipment will be contained to the property itself, but it is clear from looking at the site that is simply not possible. There is no place in which to park anything larger than a small SUV on the property.

There may be some confusion as to the extent of our property. As we note on our website, "our property line extends to the short concrete wall separating our lot from the driveway of 3589 Canyon Crest. This ~1000sqft flat area (outside of the footprint of the home) is suitable for construction parking and other staging activities. Along with minimizing impacts to existing oak trees, we explicitly designed the footprint of the home so that this pad was available as a staging area, to keep construction activities off of the road. The pad is more than 30ft deep and can accommodate a large cement truck, or a standard 20' flatbed to unload building materials. After the main level of our home and garage is cast, we will have an additional ~1000sqft of staging area as framing commences, as well as two additional spots and an uninterrupted length for staging of more than 50ft parallel to the road and set back from it by ~30ft."

Further, even if vehicles could be parked, they cannot be turned around on such a narrow road, which means that construction vehicles would have to drive to a wider spot in the road and then do a dangerous u-turn on a winding road with poor visibility. It is inevitable that traffic accidents will occur from this. And should anyone in the area have a medical emergency, the time spent moving the construction vehicles out of the way to allow the ambulance through may literally be the difference between life and death.

The pad on our property has been used for parking for some time. This entails pulling in and backing out into the road, as for many of the driveways along Canyon Crest. There is visibility to the N and S for several hundred feet.

While the project apparently does not require an EIR, it is important to realize that it will have a very negative effect on the delicate riverine ecology of the area. The builders are to be commended for their efforts to be as environmentally conscious as possible, the fact remains that a construction of this size, in a previously open space, will have a negative impact on the environment. The builders state that they "hope" to be able to preserve two thirds of the oak canopy

On our website we state that "we are cutting down a single 14" diameter protected oak that veers westward to intersect the shell of our home in such a way that it cannot be preserved. We are pruning three of the ten trees near the road, and one of these only slightly if at all. The canopy of the other six trees to remain - including the largest - will not be touched." The protected trees in the riparian environment of the canyon below will also remain untouched. Of the 4171sqft of protected canopy on our lot at street level, 802sqft overlaps with the footprint of our home (support-34), though some portion of that will be able to overlap our home, and a few feet of clearance will be required around the perimeter of our home.

I don't see how that is possible, but even if it is - we cannot afford to lose one third of the oak tree canopy in that area. Oak trees provide shelter, food, and homes for our local wildlife and are key to maintaining a balanced ecosystem in the area. Think of it in this way - if one third of your roof is removed, it causes problems. Having two thirds of a roof is not particularly useful, and having one-third of the roof missing eventually starts to cause problems in the rest of your house. So it goes with removal of the forest "roof". Wildlife displaced due to the loss of the canopy do not simply disappear. They end up moving into less appropriate places as we take away their natural homes. Squirrels move into attics; raccoons and bears with no acorns to eat start getting into trash; bobcats and coyotes, looking for squirrels to eat, start coming into yards. All of this has a negative impact on humans and their property, so being concerned about the loss of open space is not just a "tree hugger" concern.

As our initial study states, "The proposed development is sited at the edge of a disturbed oak woodland community, and would include the removal of one coast live oak (Quercus agrifolia) tree from the community for the construction of the proposed residence. The applicant will plant two oak trees on the subject property. The proposed location of the two replacement trees, adjacent to riparian oak woodland, is identified on the landscaping plan. Compliance with the conditions of the oak tree permit, through the planting of replacement oaks on site in appropriate habitat areas will ensure that impacts to oak woodlands are less than significant."

We hope to plant additional oak trees independent of any statute requirements, and in time to see our oak woodland expand and prosper in a favorable environment.

I appreciate and understand that property owners have a right to build on land that they own. But I also feel very strongly that we have things such as Community Standards and hillside ordinances for a reason. We put regulations on building in effect to prevent construction of buildings that will negatively impact the communities in which they are located. To decide that the rules simply don't apply in this case defeats the entire purpose of having any regulations on building in the first place. The proposed structure is out of scale with the neighborhood, will cause loss of property values to adjacent properties, will create a dangerous situation during the construction phase, and disrupt the ecosystem, causing problems as local wildlife try to find new homes and food sources.

The CSD states in 22.47.127.C.2.b:

"A minor conditional use permit, as provided in Section 22.56.085 shall be required for any development that is not otherwise subject to a conditional use permit pursuant to Section 22.56.215, except for:
(A) Additions to a structure that was legally established prior to the effective date of the ordinance creating this subsection;
(B) New accessory structures; and
(C) Development designed so that all areas with a natural slope of 25 percent or greater remain in a natural state."

In other words, though LA county code does not treat this as a violation, a minor conditional use permit should be triggered if such development occurs in Altadena. This warrants feedback and

consideration from the community, which may with sufficient concern trigger a hearing so that all have a chance to voice their concerns publicly, and they can be assessed. This is the process that we are following. This is not a prohibition on such development, just as the code does not intend to completely prohibit new accessory structures. It is a mechanism for proper review.

I strongly urge you, before approving this project, to at the very least come and look at the site in person. It is hard to find, as the "lot" is simply the shoulder of the road with no flat space at grade.

We believe we have earlier addressed this misconception. We describe the portions of our lot that are suitable for staging on our website in the section related to parking.

Seeing it will make it much clearer how inappropriate it is as a site for construction on that scale.

MaryEllen Schoeman

4595 Rising Hill Rd.
Altadena, CA 91001

Below we address the second letter.

Thank you for your prompt response to my earlier email regarding project No. R2014-02411-(5). Since I sent that email to you, several other issues with the project have come to light that I would like the Department to be aware of.

The first, and most significant, is that it appears very much as if the scale of the buildings that the applicants have indicated in their application materials is incorrect. I stated earlier that the plans were misleading in that the square footage did not include the very large second story on the garage space. However, in looking at actual measurements taken onsite, and comparing them to the computer-generated image on the website and in their application, it is clear that the size of the structure itself has been scaled down for the image. To make it clearer, I have attached two photos. The first one, "balloon", shows a balloon 32' feet above ground level, which, according to the plans filed with the county, is the height of the tallest point on the garage roof. I have circled the balloon on the photo as it is somewhat hard to see. Note that the balloon is well above the level of the canopy. Also note the power lines (highlighted to make it easier to see), which are below the level of the balloon. Notice too the distinctive forked tree in the lower left part of the photo. Now compare this photo to the computer generated rendering submitted by the applicants, which I have attached as "photo one". Note that in this rendering, the point of the garage roof is below the level of the canopy. But as the actual height, as indicated by the balloon in the preceding photo, is above the canopy. Note the placement of the power lines in the rendering, which show the house as being below the level of the power lines.

MaryEllen appears to take issue with the more photo-realistic rendering of our home that our architect created (support-8), appearing to state that because the outline of the home is below the wires in the image, our home is portrayed as shorter than the wires. We would like to clarify that the projection of the power lines at grade coincides with the edge of the pavement, and our home is set back from the edge of the pavement along this perspective by 30ft. We are looking at our home from a distance of ~50ft, set back ~20ft from the projection of the power lines at grade. From this perspective, the power lines are expected to appear above the image of our home, even though they are 10ft shorter. (We can draw 4 line segments to visualize this: segment A, 20ft horizontally, segment B, 20ft vertically from the right of segment A, segment C 30ft horizontally from the right of segment A, segment D, 30ft vertically from the right of segment C. The top of segment B are the power lines, the top of segment D is the peak height of our home, and the left of segment A is where the picture is taken. The top of segment B will appear "above" the top of segment D as seen from A).

It is true that from this short distance, it can be difficult to scale, much less in a panoramic projection, and the rendering is not meant to be a perfect portrayal of final conditions. This was augmented with wireframe renderings from neighboring residences. These wireframe overlays are derived directly from the digital model used to generate elevations, and from these greater distances we were able to scale our home to the surveyed features visible in the terrain (oak trees, telephone pole, pavement and wall boundaries, etc).

Again, the other photo shows that the house is taller than the power lines. Lastly, the distinctive forked tree in the foreground appears to be at roof height with the branches draped artfully over the front. As is obvious from the other photo, the garage is much taller than that tree. As a final note regarding the scale of the rendering - the cyclist at the foreground of the photo is part of the actual photo taken of the site that was used to make the rendering. Look at the size of the cyclist and look at the rendering. The cyclist is larger than the garage door. Even accounting for some variance due to perspective, the rendering is still out of scale with the actual landscape.

Again, the cyclist is perhaps 10ft distant, and our home ~50ft distant.

I have also attached three other photos. These photos are a comparison of the wire-frame rendering of the house with a solid wall rendering. All I have done is taken the wire frame renderings and filled in where the exterior walls would be as indicated by the rendering. (note: this is still at the smaller scale of the rendering. If the scale were accurate these walls would be much bigger.) As you can see from the side by side comparisons, the structure would in fact block the views from surrounding homes. The applicants state on their website that the oak canopy already obscures the view and that their house would not obscure it further. What they do not seem to realize is that the oak canopy *is* the view. From the renderings where I have filled in the walls, you can see that the canopy is obscured by the structure.The wire frame rendering does not adequately convey the actual impact of the structure, because you can see through it to the oak trees. Walls, however, are not transparent.

As we note on our website, "The three oak trees nearest the street that will continue to shroud our home in canopy are encroached only by our permeable driveway, which does little to change existing conditions." It is this canopy that our architect has attempted to leave intact, and it is this view that we are attempting to preserve for our neighbors. However, it is not possible to build any home on our lot that will not be seen by our neighbors. From our current home in the Meadows, we too look out on houses where trees might once have lived. In our experience this is not uncommon in the area we live in. We hope to minimize visual impacts by choosing a cladding color that will blend with the canopy.

There is also an issue the oak trees. The applicants state that they will be parking heavy construction vehicles on a small area off the road. I have mentioned before that it is unlikely that such vehicles would fit on that space. However, during a site visit, it was noted that the oak trees are right at the edge of that area. The vehicles would need to park inside the protected zone around the trees (less than the required fifteen feet from the trunk). Parking vehicles on top of the oak tree root system for a year or more will kill the trees.

Our neighbor John Lynch and his wife Michiko have parked their car and pickup truck in this space for about 10 years. As we state on our website, "These loads will be distributed to the ground throughout construction with plywood, an oak tree mitigation measure intended to reduce ground pressure to the more customary tire point loads the pad has experienced for years."

I apologize for sending two letters, however the issues raised above did not become apparent until I spent more time on the site itself doing measurements.

Once again, thank you for your time and efforts.

Below we address the third letter.

In reviewing the findings for this case I find the conclusions on the Environmental Checklist form to be questionable, possibly due to the limited time and depth of the study upon which they were based. As a wildlife rescuer with a long history in the area and a current graduate student in Conservation Biology, I am concerned that some key issues may have been overlooked in this review.
I find the following decisions questionable

Section 2.d)
California Public Resources Code section 12220(g) defines forest land as
"land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits."

This lot does contain more than 10% native tree cover, and is an important reservoir of fish, wildlife, and biodiversity.

We will defer to our planner in responding to this. To us it seems that our lot, being isolated in a pocket of existing development, is not conducive to management of forest resources.

Number 4.(a) "Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?"

The proposed development is inhabited by the endangered Arroyo Toad, and is the home range of mountain lion, which are protected as a special species under California law. Photos of these animals, taken in the area, are attached. (The photo labeled "mountain lion 2" was taken only a short distance up the street from the proposed development.) I am told that the site survey found no evidence of protected or endangered animals. I suggest that if endangered animals could be located in a single site visit, they would most likely not be considered endangered.

Both of the cited animals are confined primarily to the riparian environment of the canyon below, which is a habitat for the toad and a corridor for the mountain lion. This area will remain unaffected. There may be isolated excursions of mountain lions in the area that the referenced photo was taken. This is a stretch of road accessed from Canyon Crest with wild land adjacent on both sides. However, our own site is separated from this area by houses along lower Canyon Crest on both sides of the road. It is unclear if any mountain lion travels our stretch of Canyon Crest. Even if that is the case it is unlikely that it would be during the day when the road is used by residents along lower Canyon Crest and all the residents of the Meadows. We therefore don't believe that our construction activities would affect this mostly nocturnal animal.

4.(b) "Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?"

While the proposed development is not in a designated natural corridor, it is and has been in extensive use by native wildlife for many years. The species found in the area (photos attached) include mountain lions, bears, foxes, bobcats, deer, and a host of smaller native mammals such as opossums, raccoons, skunks, and three species of squirrel. These animals all utilize the open space as a spot to safely traverse the road, and they all to some extent depend on the oak trees. Bears, raccoons, deer and squirrels all eat acorns, and the carnivores eat the animals that eat the acorns. The photo of the

bear shows something that will become all the more common as we remove open spaces and oak trees - bears getting into trash.

We don't intend to fence our lot, in contrast to many of the homes in lower Canyon Crest (and the Meadows), which are fenced across their frontage, side yard and in some cases backyard. This allows us to leave it open to whatever wildlife may be coming from or going to the developed, largely fenced homes and roads of lower Canyon Crest and upper Altadena.

I believe that the impact on the oak woodland has been underestimated. While it is true that only one oak tree will be removed, the developer has stated that at least one third (33%) of the remaining oak canopy will be removed from the remaining trees. As there are around 20 mature oak trees on the lot, this is the equivalent of removing 6 mature trees from the immediate area. The importance of mature oak woodlands to our ecosystem cannot be underestimated, and the planting of two oak saplings will not mitigate the removal of such a large part of the canopy.

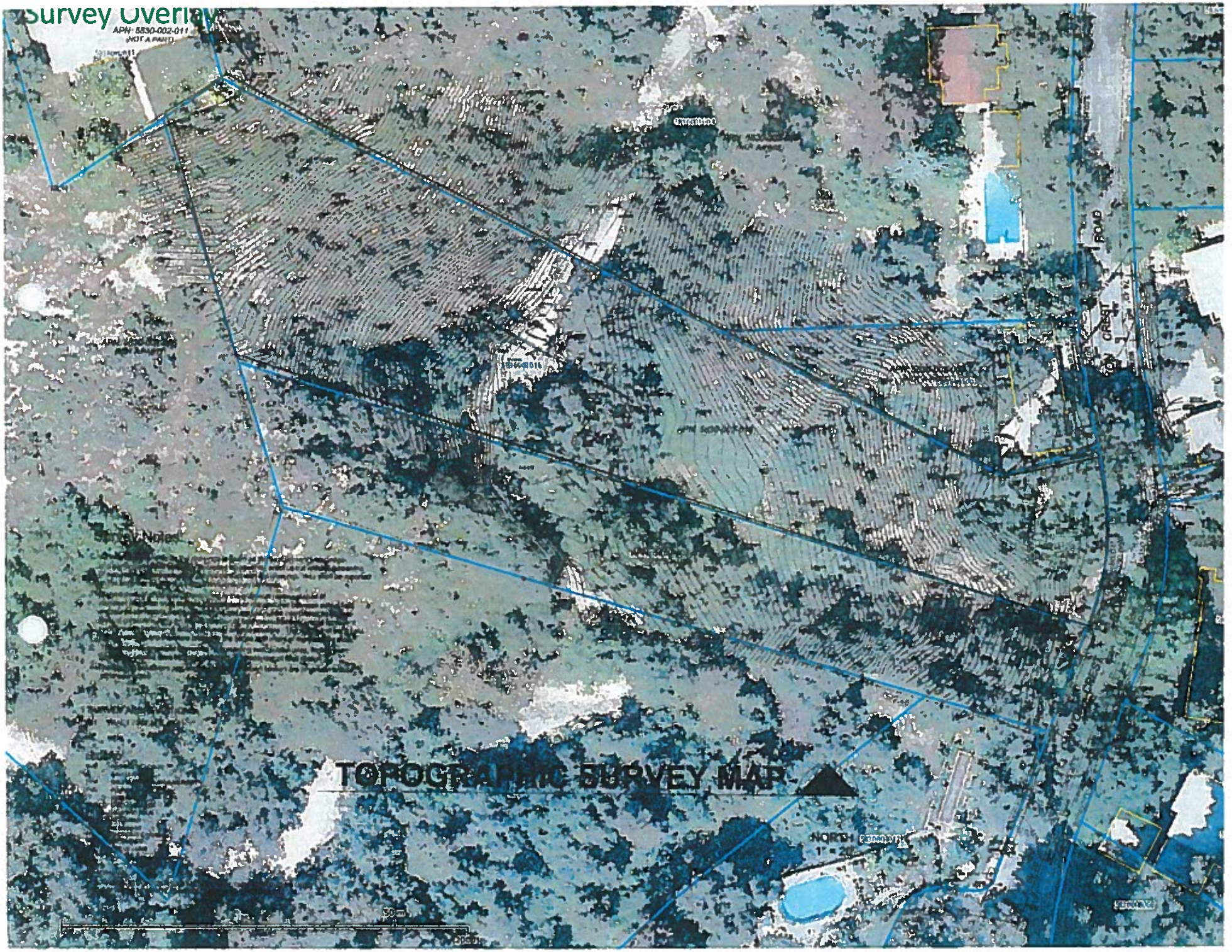
We expect there is some misunderstanding since we do not believe we have ever stated (on the website or at any of the three Altadena Town Council meetings we presented at) that at least one third of the remaining oak canopy will be removed. It is possible that she is including the canopy of trees in the riparian environment by the streambed on the property. This will remain untouched.

We disagree with the statement that the canopy of 6 mature oak trees must be removed. In addition to the one oak tree we are removing (tree #6), which overlaps the mapped canopy of its neighboring tree (tree #5) almost completely, we will prune a limb from tree #4 and several limbs from tree #7.

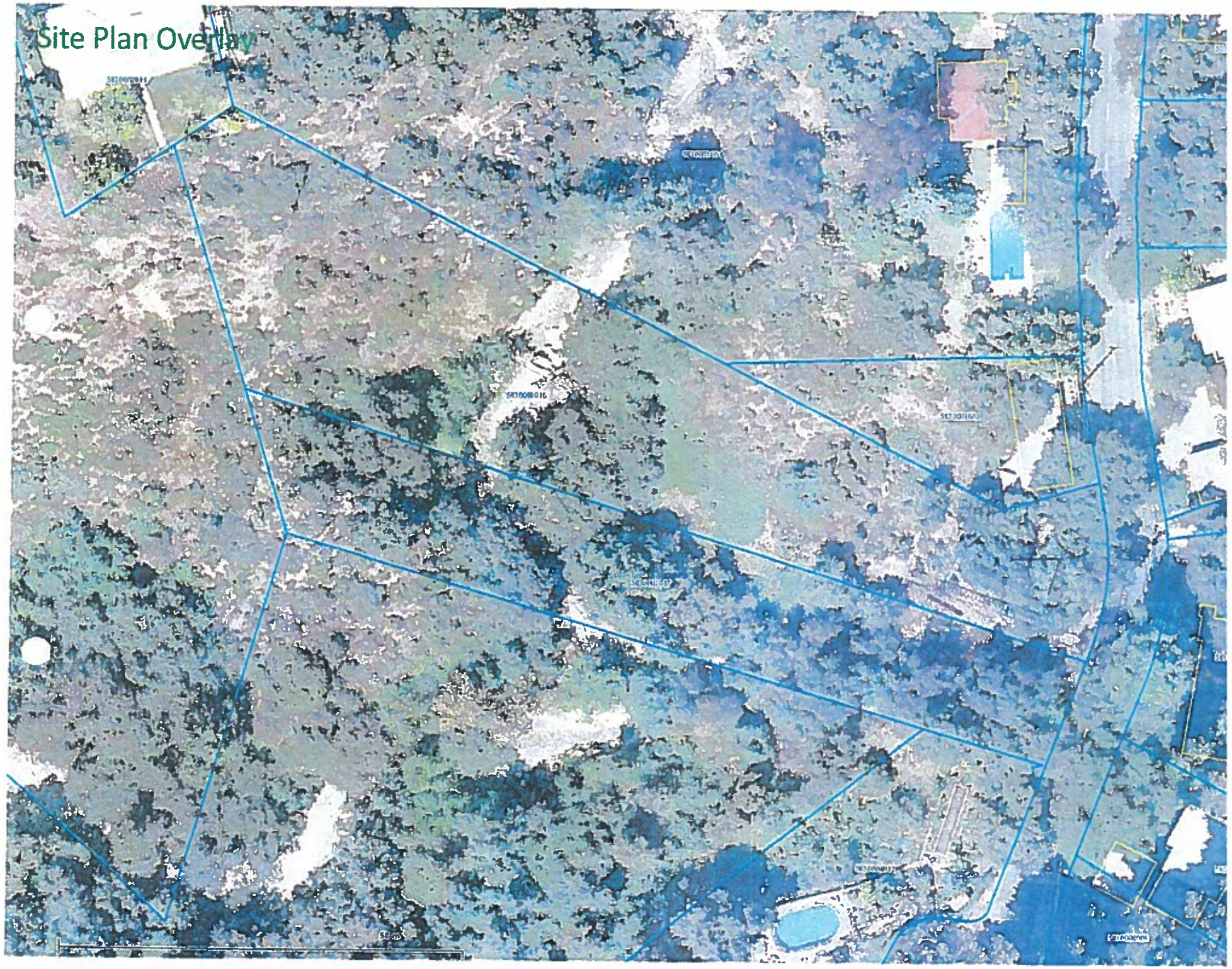
We hope we have been able to address MaryEllen's concerns. We are happy to provide any additional supporting information that may be useful.

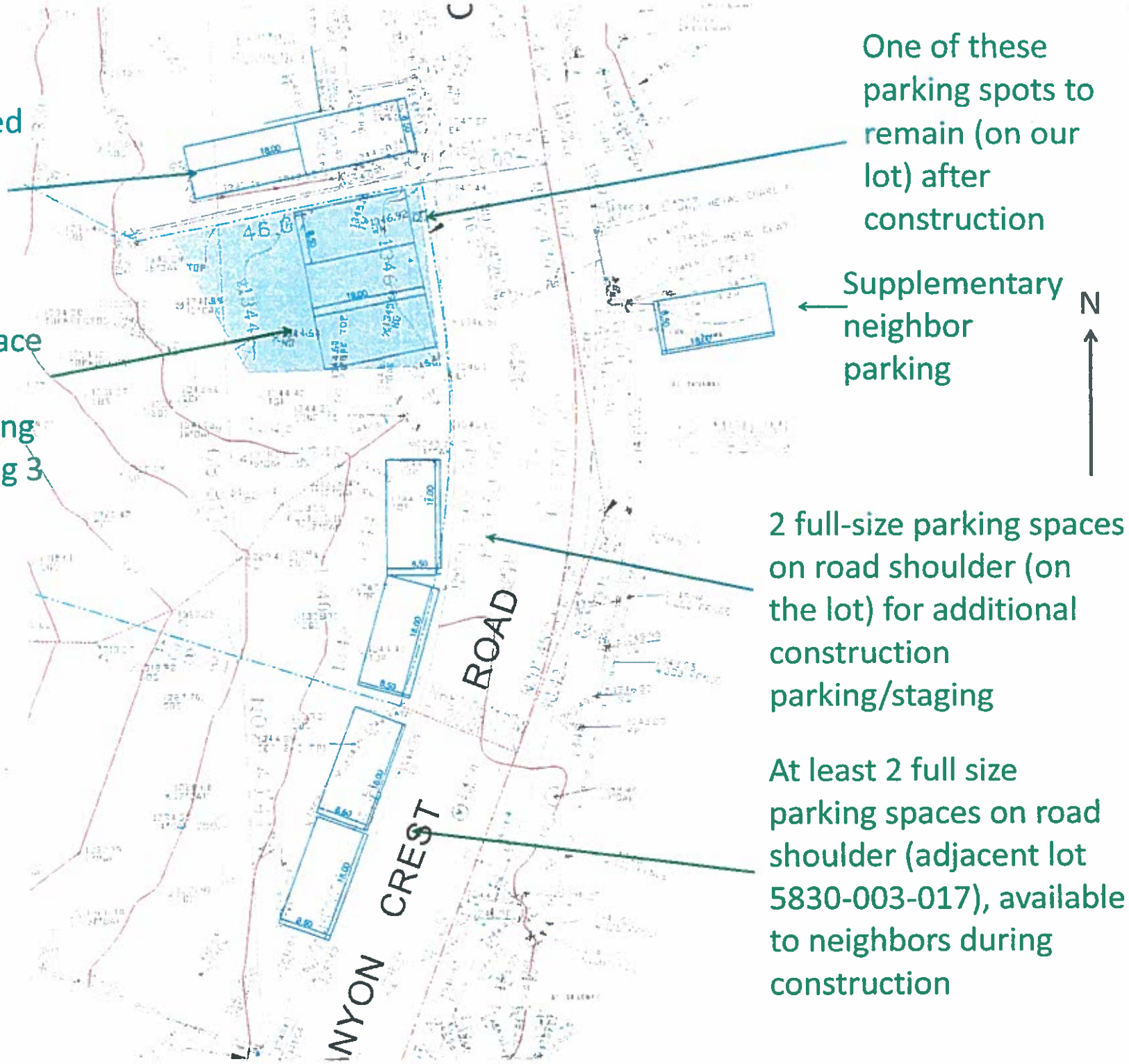
Regards,

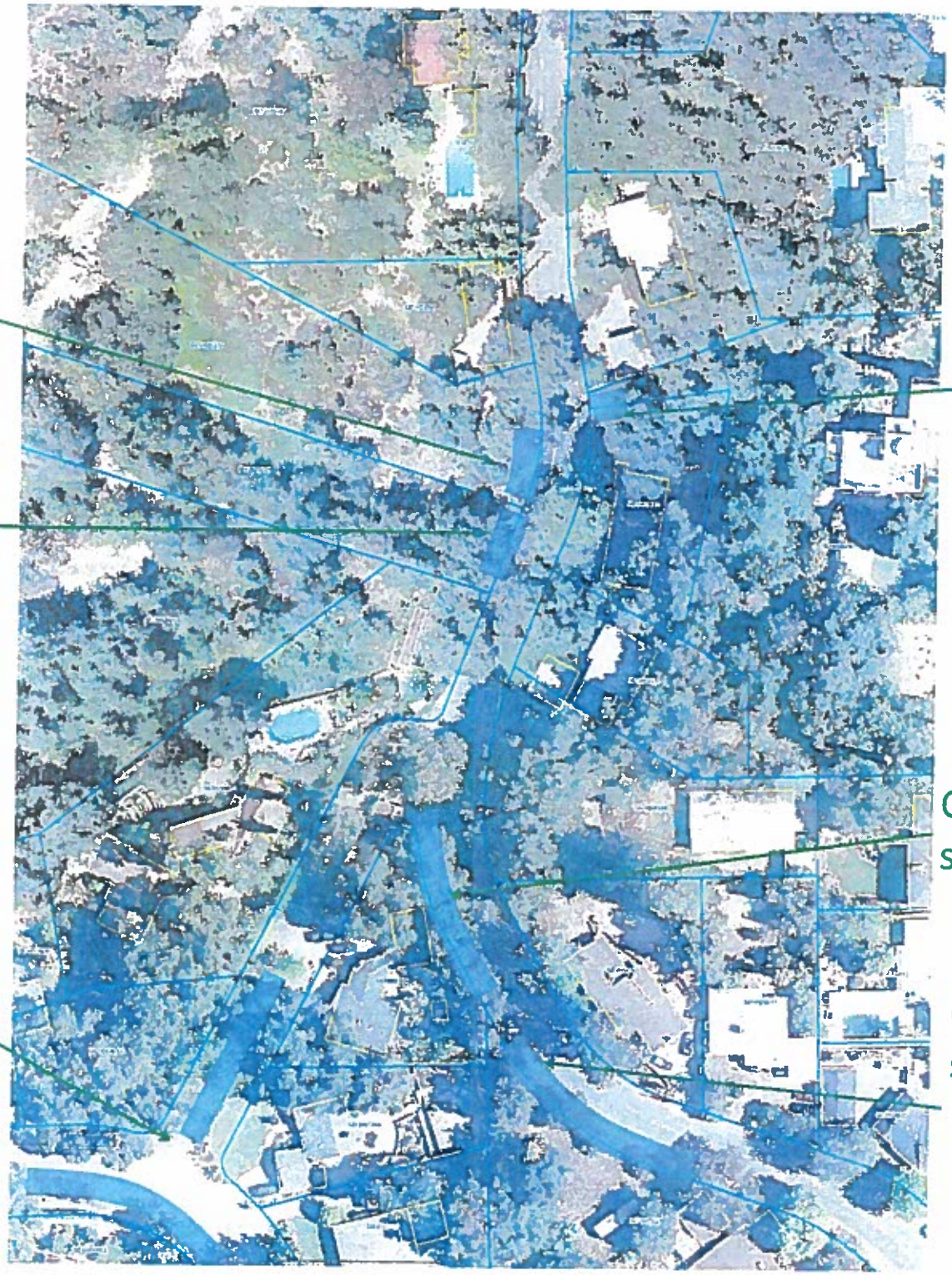
Stephen and Vandana

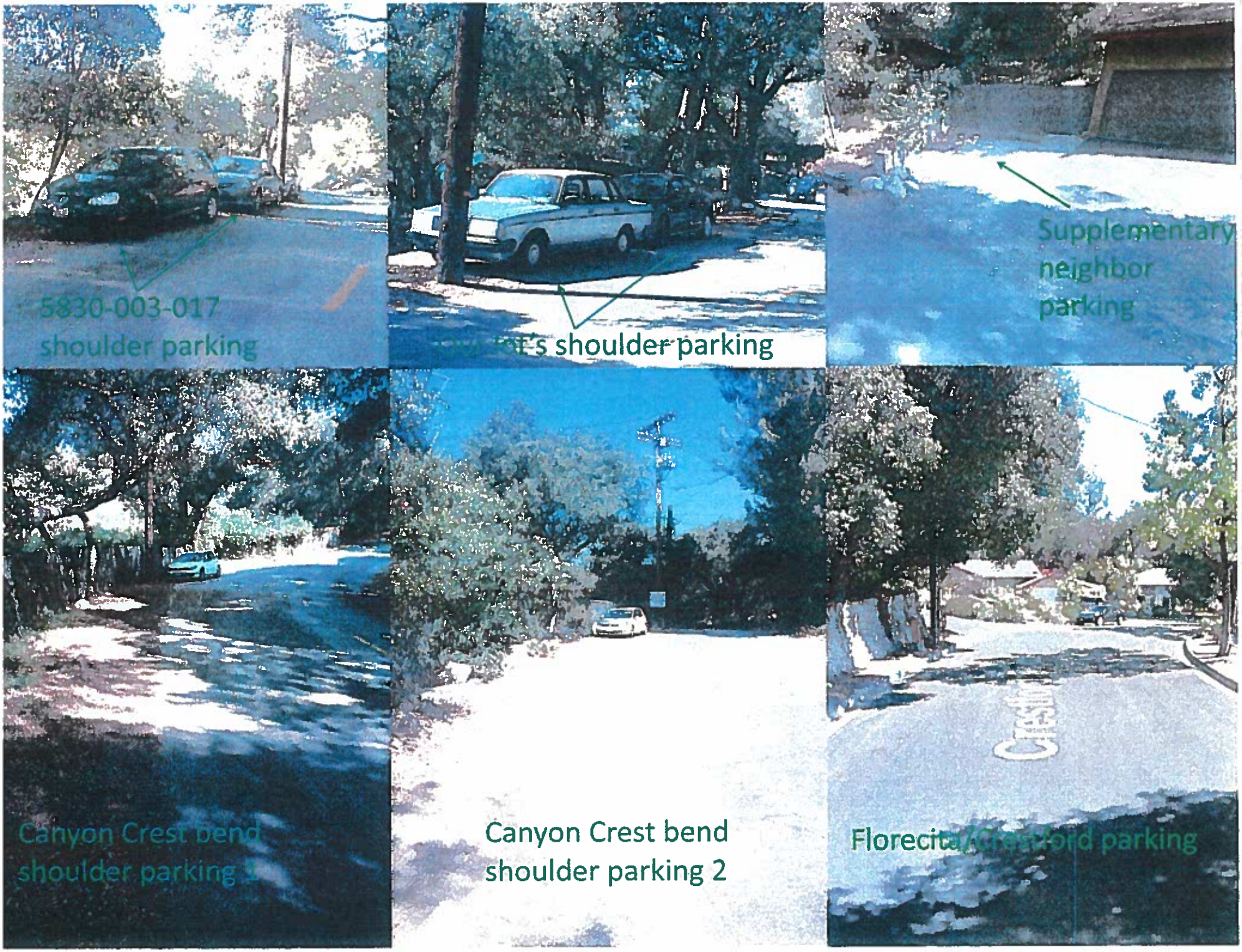

Survey Overlay
APN: 5830-002-011
(NOT A PART)
TOPOGRAPHIC SURVEY MAP
NORTH
1" = 20'
GREST
ROAD

Site Plan Overlay




Neighbor's stacked parking (during construction)
1,000sqft flat space for parking and construction staging (shaded), including 3 full-size parking spaces
One of these parking spots to remain (on our lot) after construction
Supplementary neighbor parking
N
2 full-size parking spaces on road shoulder (on the lot) for additional construction parking/staging
At least 2 full size parking spaces on road shoulder (adjacent lot 5830-003-017), available to neighbors during construction
CANYON CREST ROAD

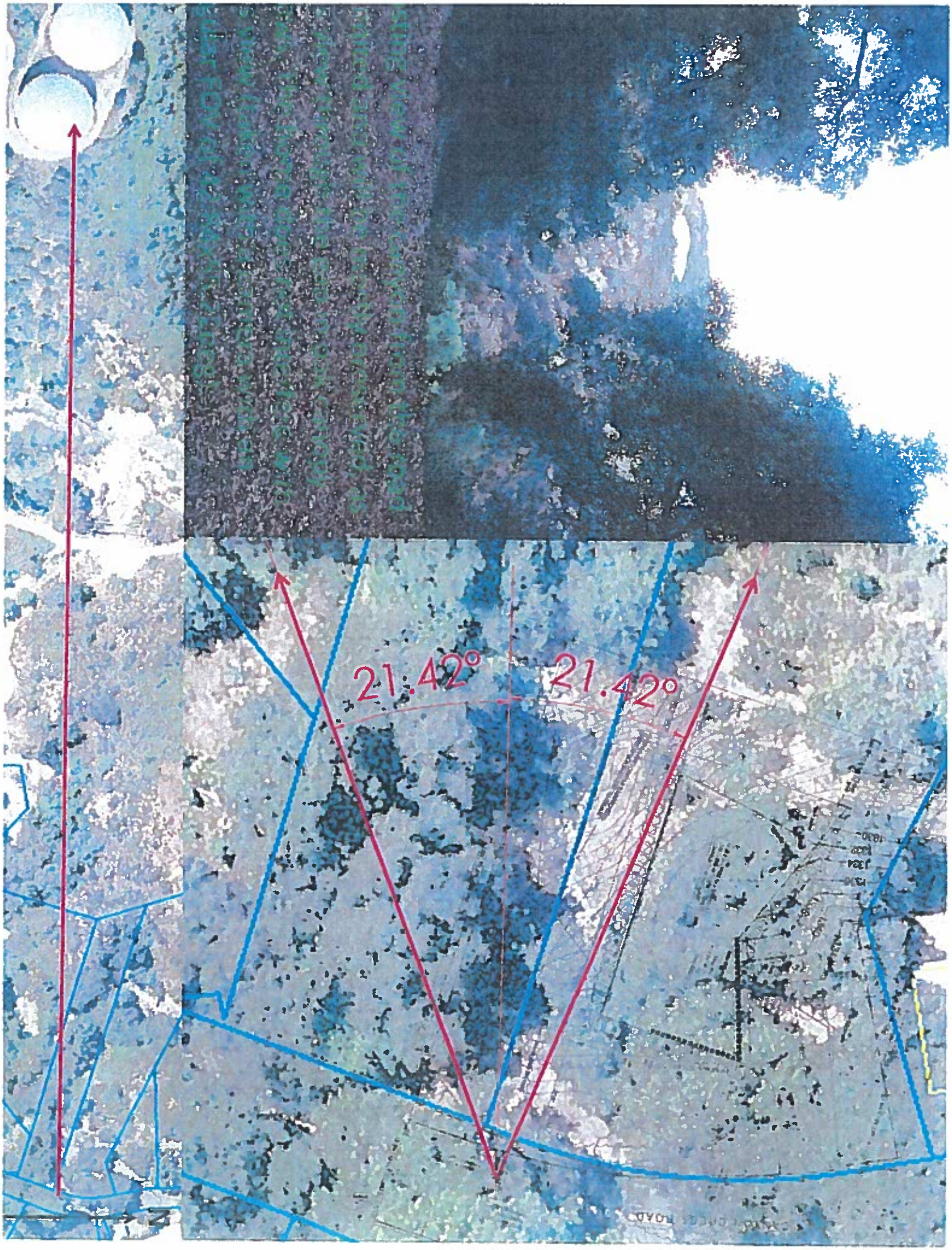

Our lot's shoulder parking
Supplementary neighbor parking
N
5830-003-017 houlder parking
tensive on-street rking along recita Dr. and estford Dr. in the jacent ighborhood
Canyon Crest bend shoulder parking 1
Canyon Crest bend shoulder parking 2

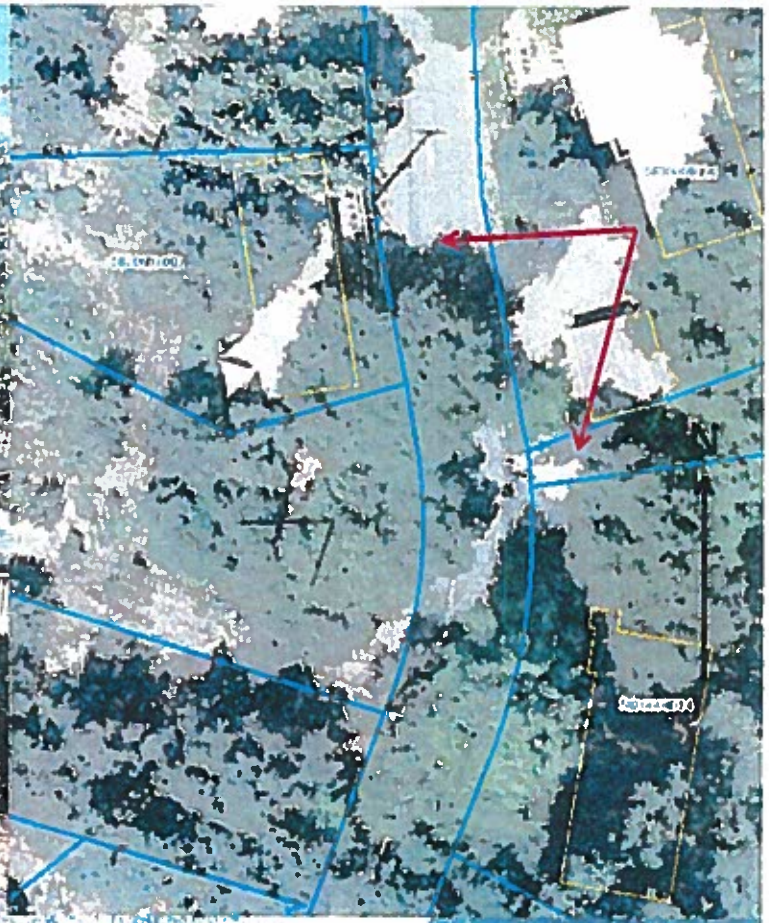

5830-003-017
shoulder parking
Supplementary
neighbor
parking
Canyon Crest bend
shoulder parking 1
Canyon Crest bend
shoulder parking 2

Canyo
Long-side utility installation (2005) spanning the road immediately in front of the lot

3535 Canyon Ridge

3556 Canyon Crest


21.42°
21.42°

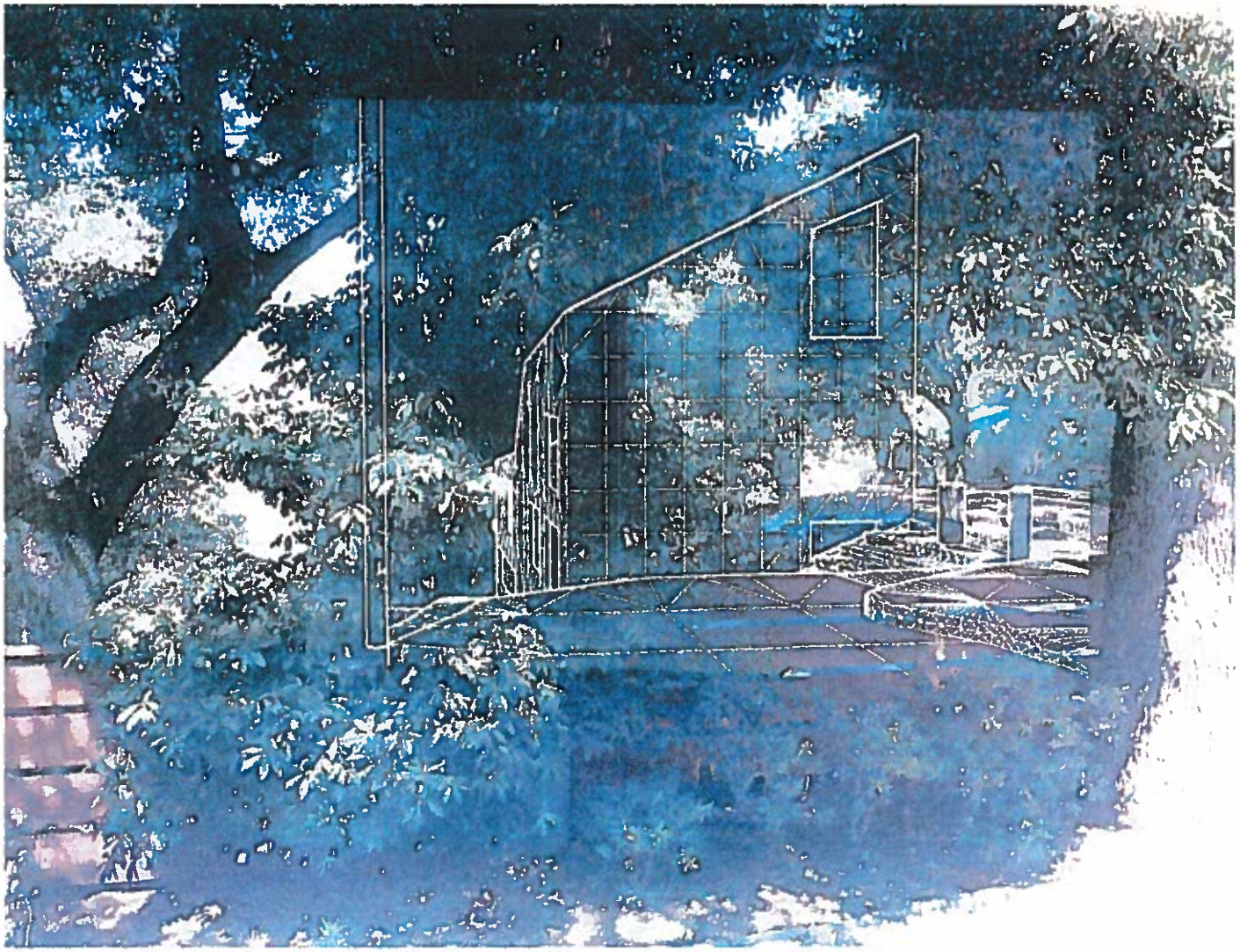


3588 Canyon Crest

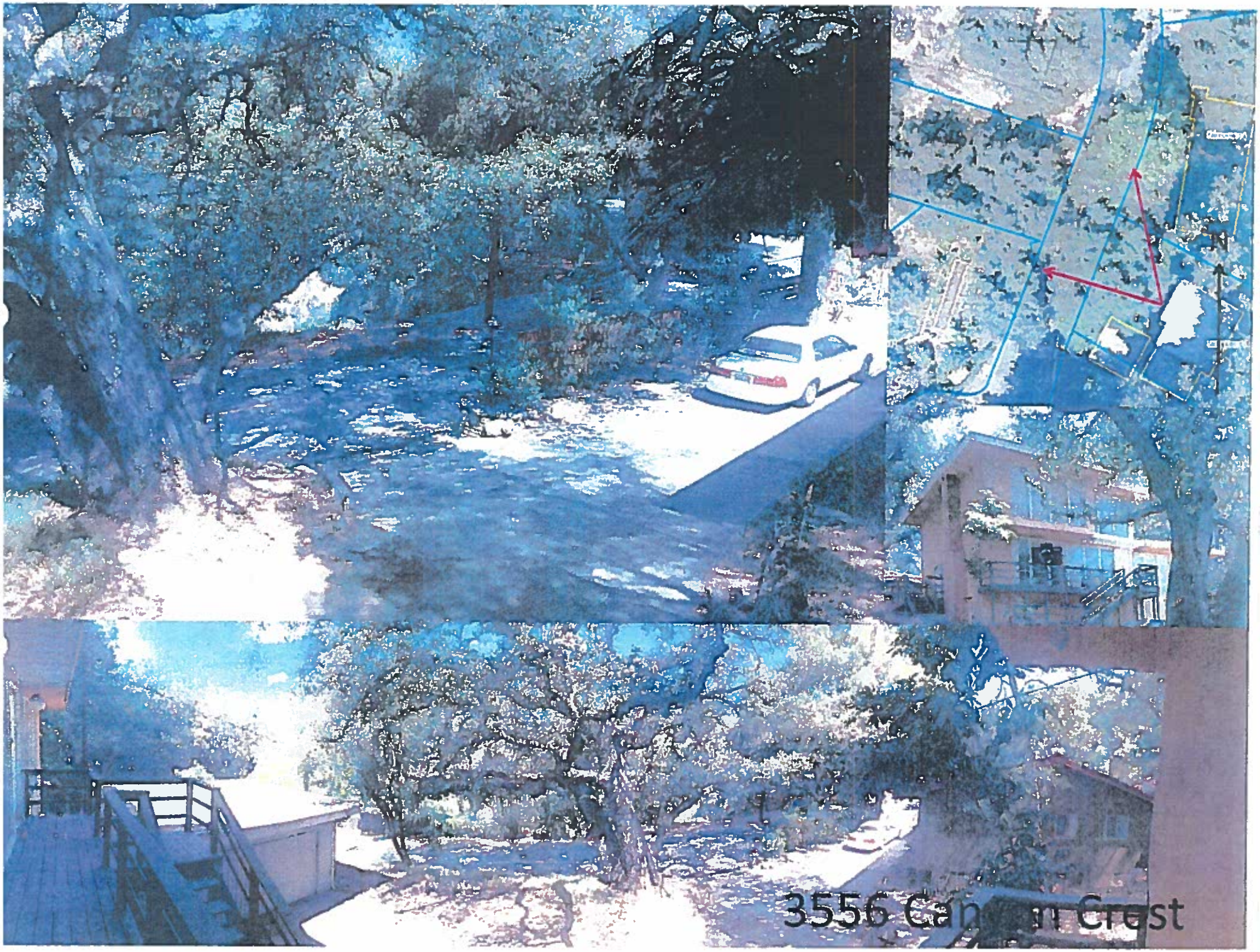
Overlay of model onto view from 3588 Canyon Crest, showing that canopy already obscures any view.

3588 Canyon Crest

N
3566 Canyon Crest

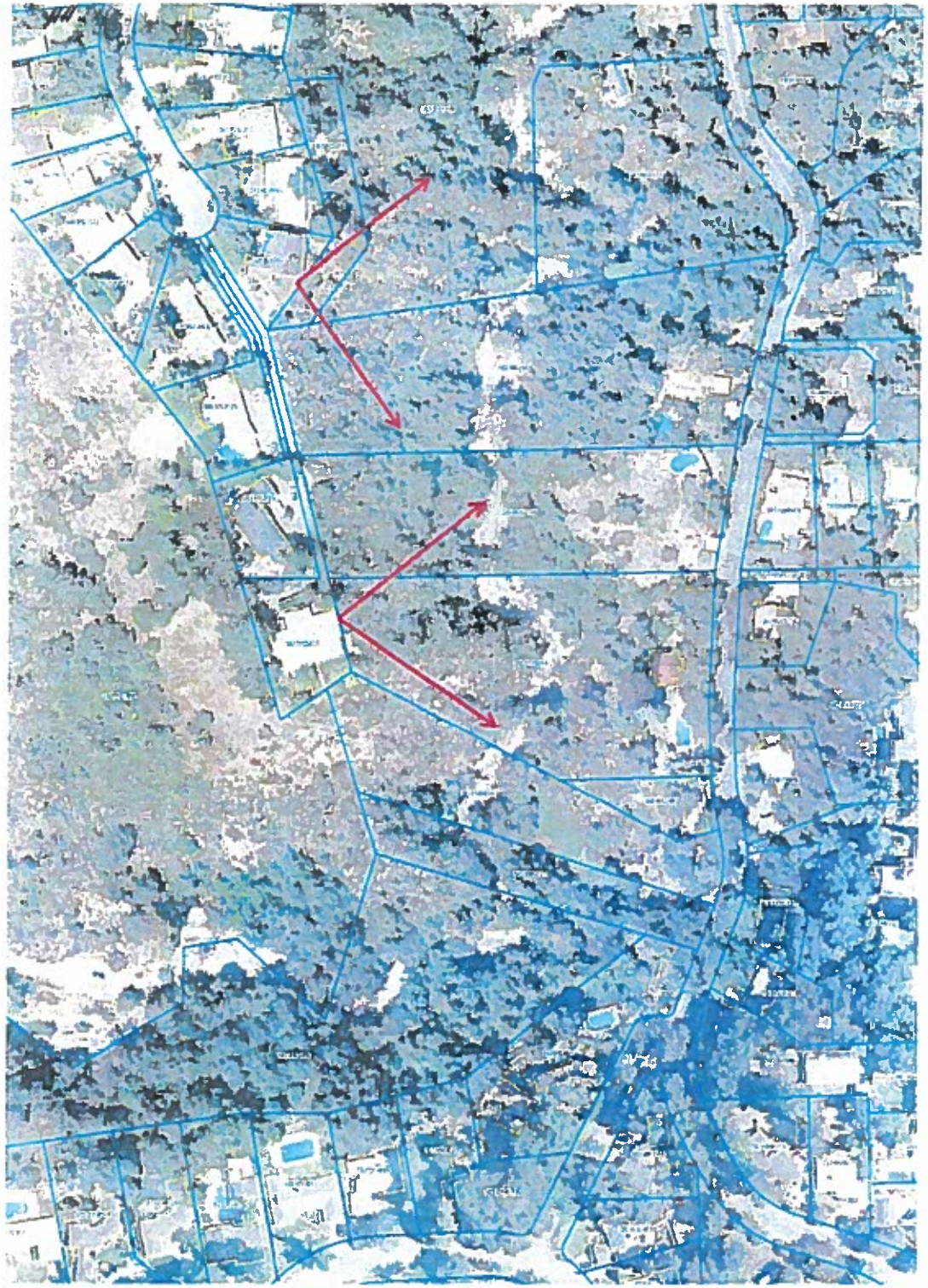


Overlay of model onto view from 3566 Canyon Crest, showing that canopy already obscures most of the view.


N
3556 Canyon Crest

Overlay of model onto view from 3556 Canyon Crest, showing that canopy already obscures most of the view.

/iews from Canyon
)ell residences
)nto the homes
ind backyards of
:anyon Crest



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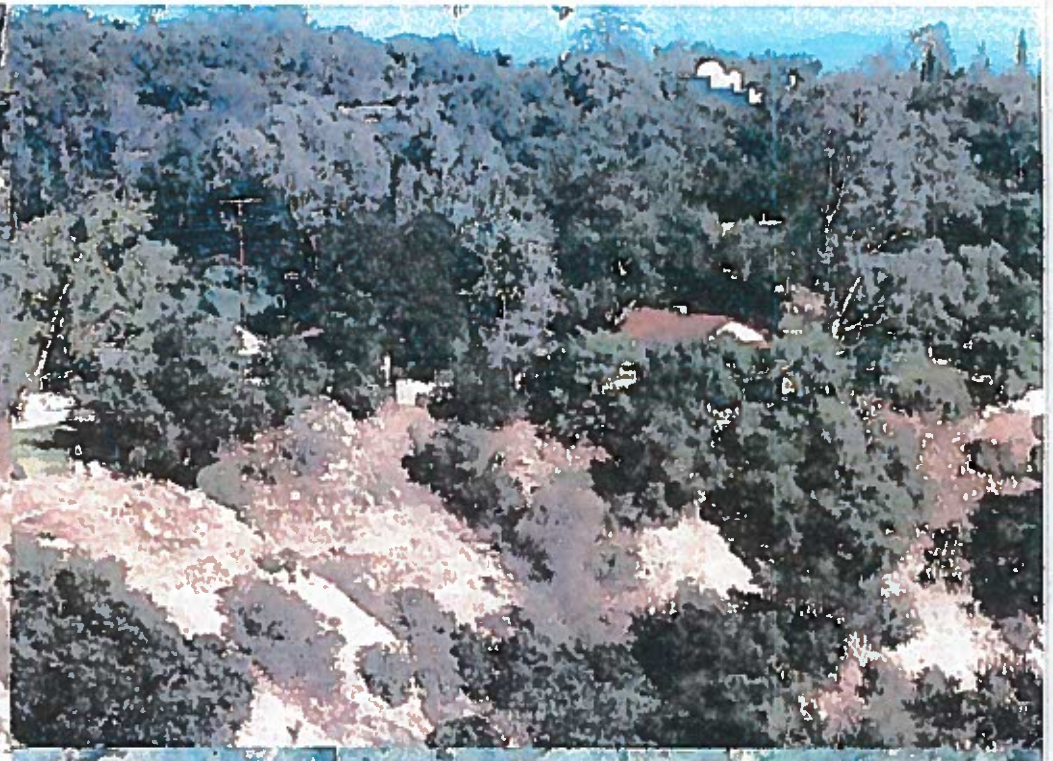
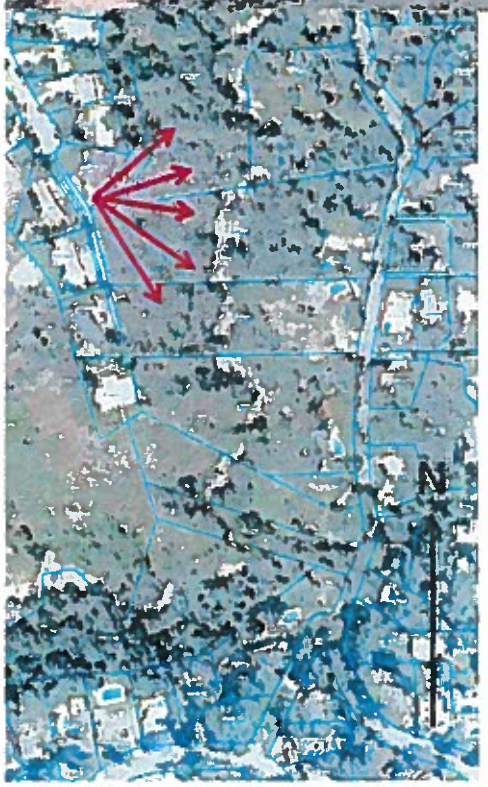
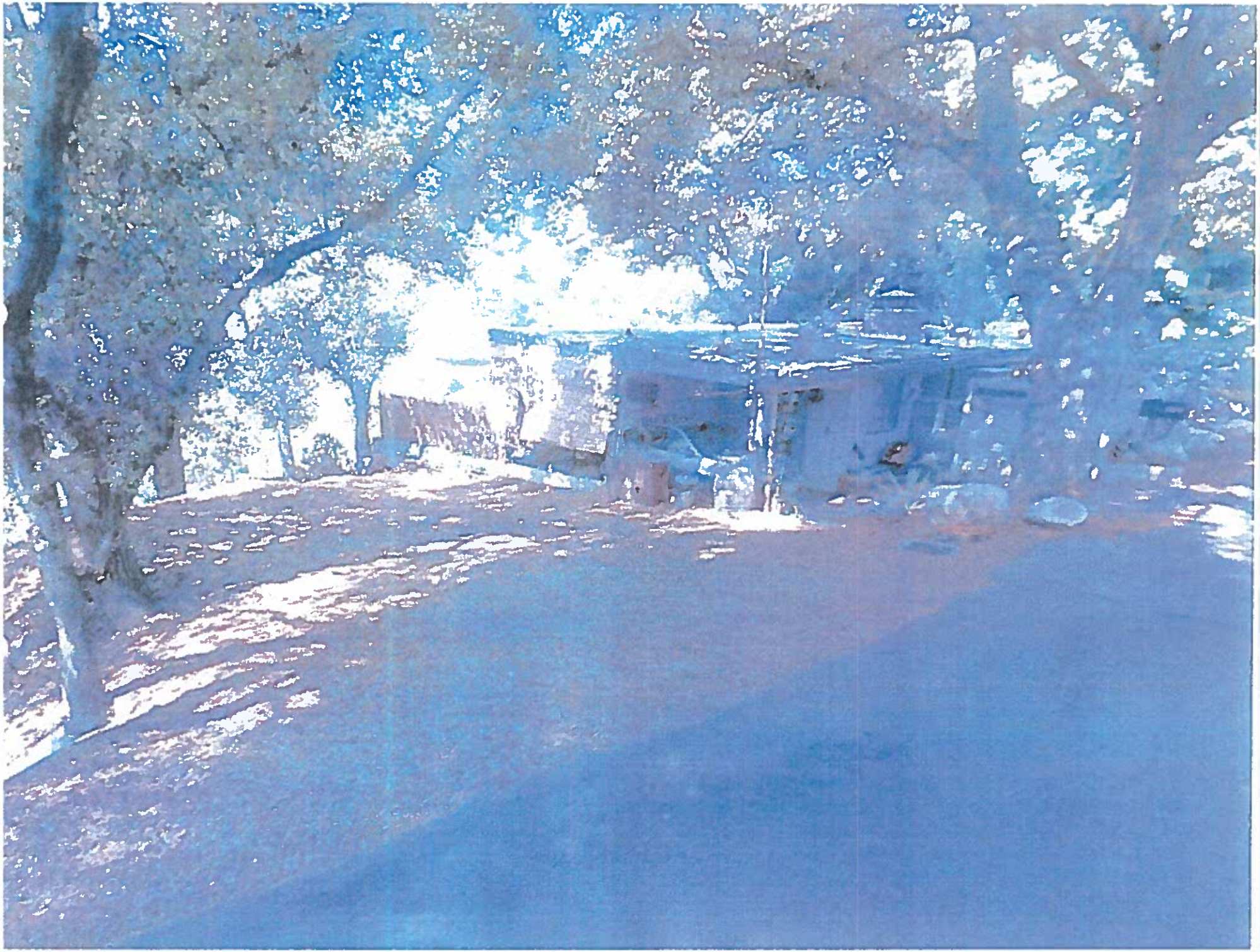
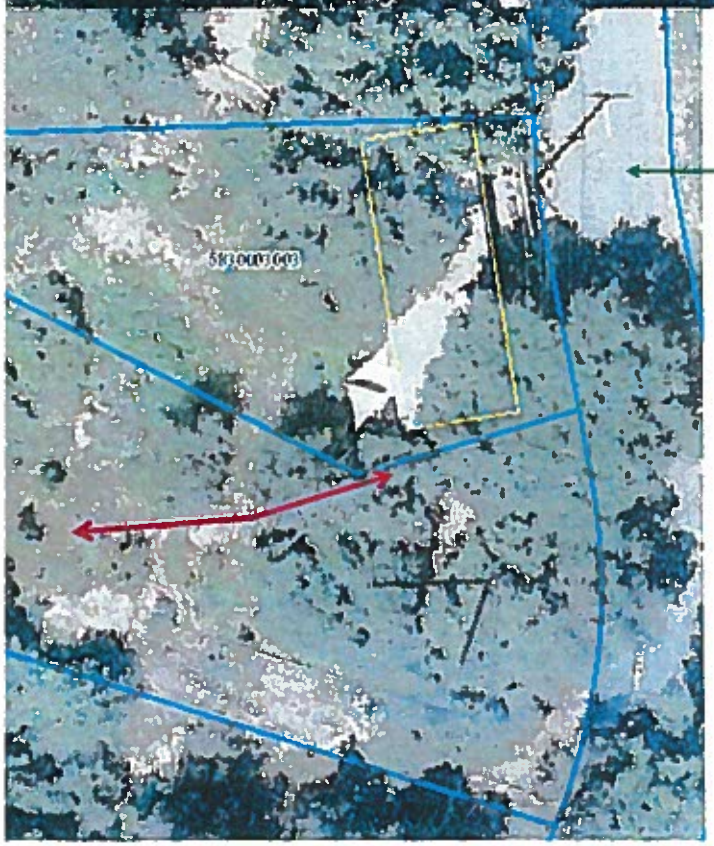




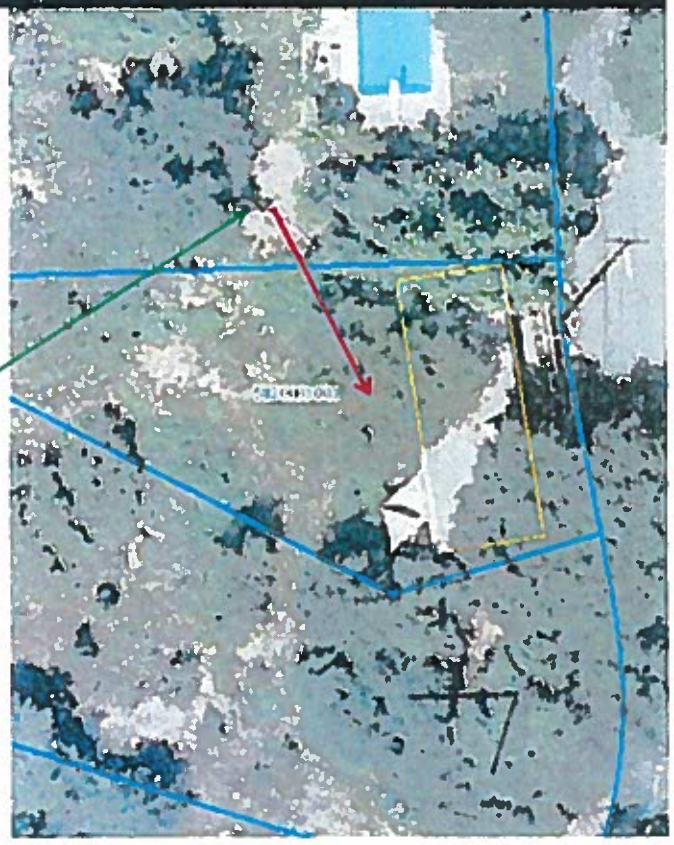
Views from Canyon Dell residences onto the homes and backyards of Canyon Crest

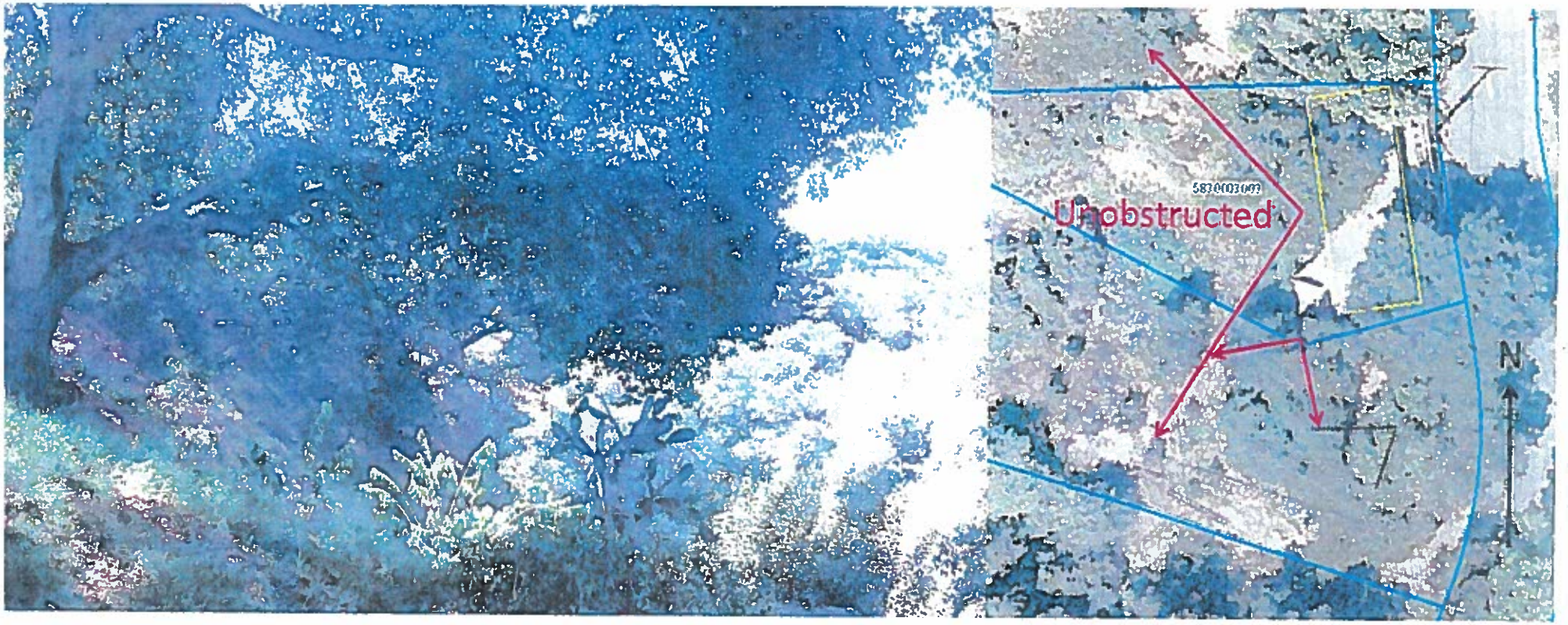




View from deck onto adjacent property

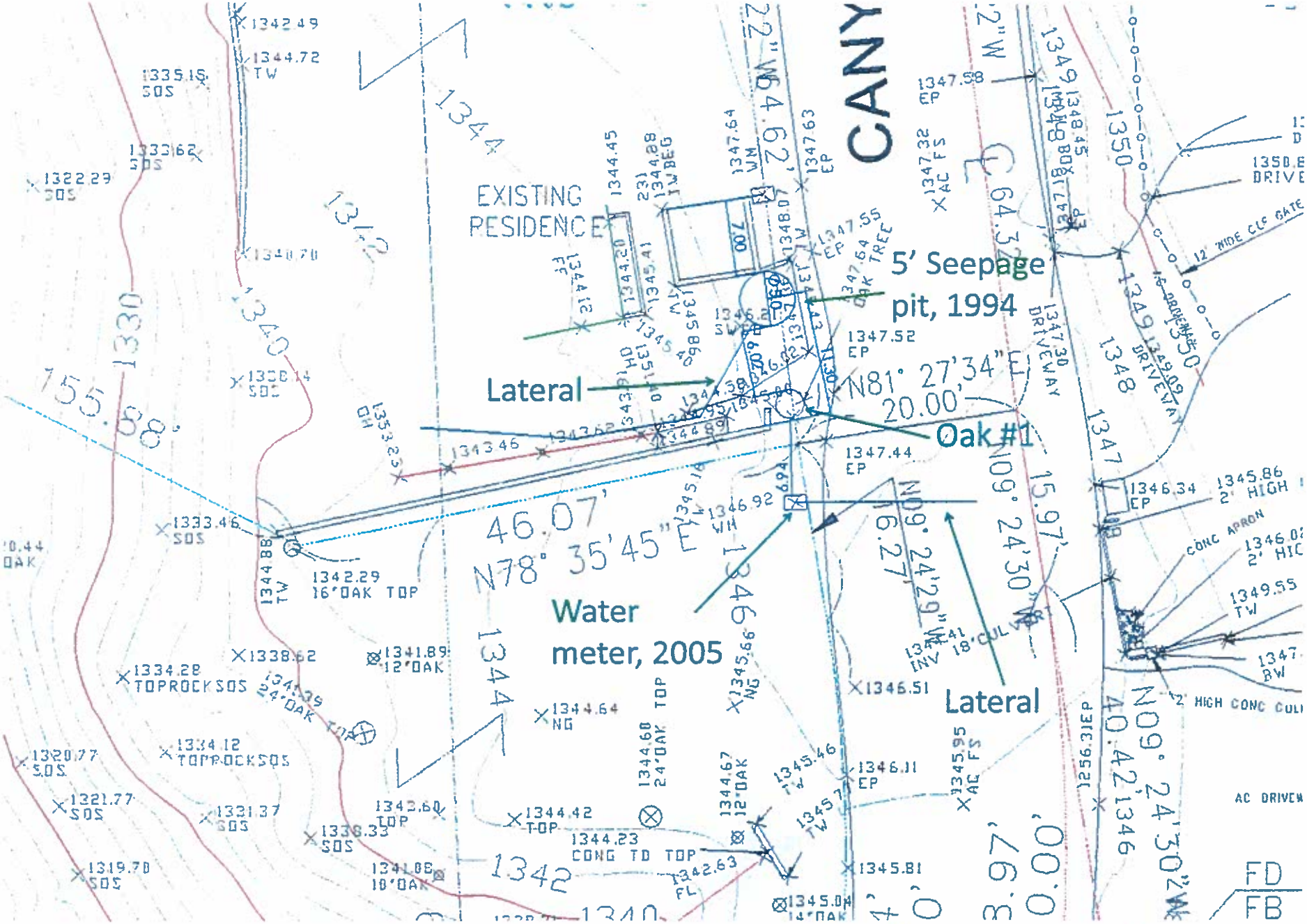
Backyard sight line of 3617 Canyon Crest onto patio area of 3589 Canyon Crest.





Worst-case view from Lynch patio onto our lot.
From the center of the patio, unobstructed canyon views remain.

3405 Florecita Dr



See also next slide for the as-built source of these dimensions (survey overlay in blue).

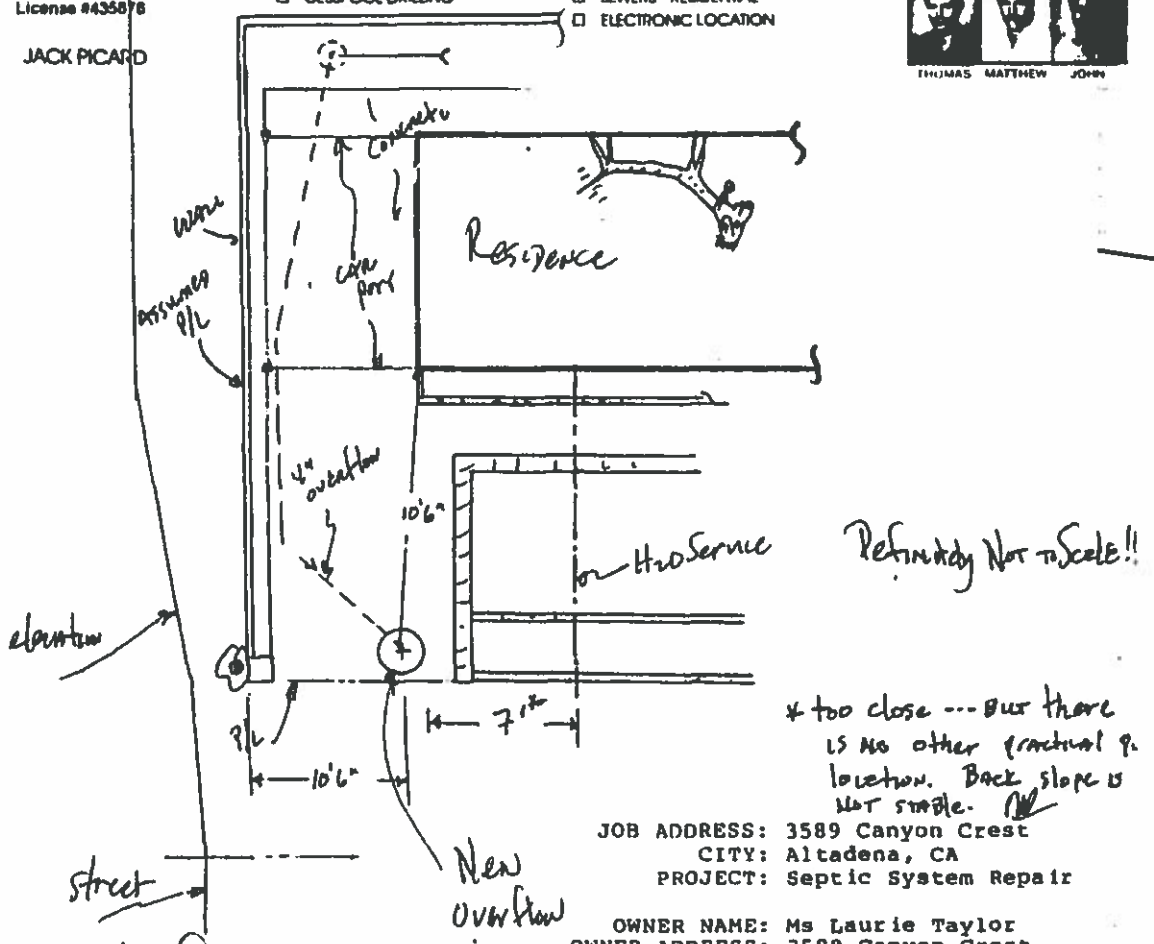
PICARD ENGINEERING COMPANY

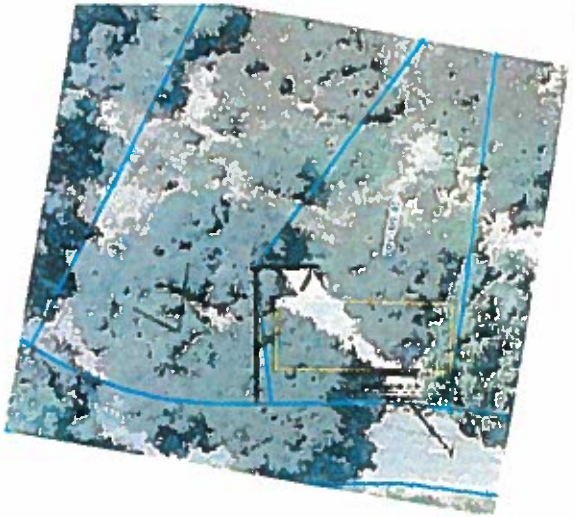
THE PICARD FAMILY
JACK MICHAEL STEVE
THOMAS MATTHEW JOHN

- GENERAL PLUMBING
- REMODEL PLUMBING
- SEPTIC SYSTEM DESIGN
- CESSPOOL DRILLING
- LEACH LINES
- AREA DRAINS
- SEWERS - STREET
- SEWERS - RESIDENTIAL
- ELECTRONIC LOCATION

Calif. State Contractors' License #435876

JACK PICARD





N

Source: Watson Plumbing
Note: survey agrees with these dimensions to within 1ft. If water lateral is 7' from OD of pit, then I measure 11.3' from the pit center to the inner edge of the wall they took to be the P/L boundary, not 10.5'. If 10.5' is correct, this would only take the seepage pit closer to oak tree #1 than I've portrayed.

PROJECT SUBMITTED BY:
John R. Picard C36 435876
25-Mar-94

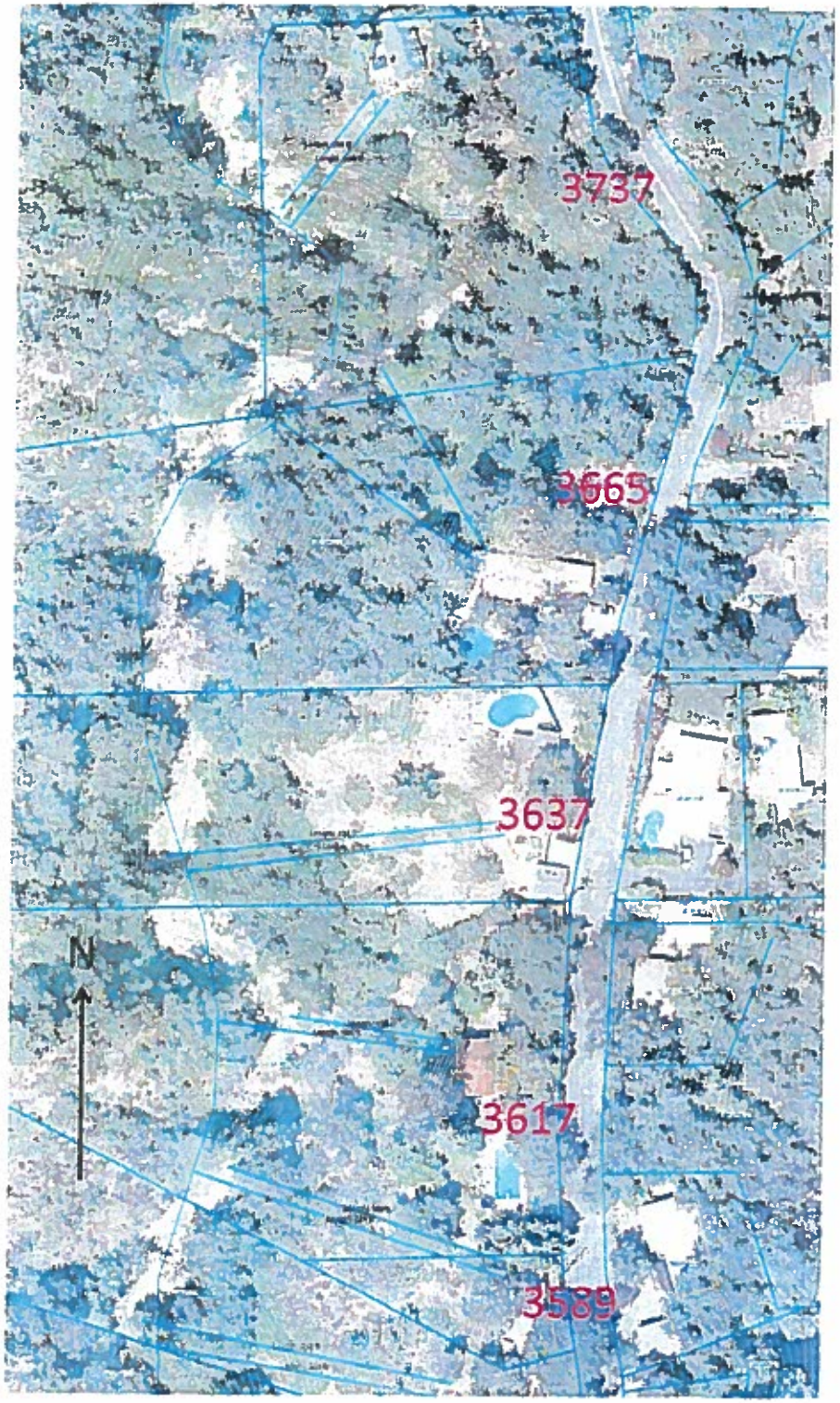
JOB ADDRESS: 3589 Canyon Crest
CITY: Altadena, CA
PROJECT: Septic System Repair

OWNER NAME: Ms Laurie Taylor
OWNER ADDRESS: 3589 Canyon Crest
CITY: Altadena, CA
OWNER PHONE: 818-797-3946
CONTRACTOR: Watson Plumbing Co.
ADDRESS: 11934 Valerio Street
CITY: North Hollywood, CA 91605
PHONE: 818-785-2121
lotus file: DESSEPTC.WK1

Operating Companies
Fax: (818) 764-8247

- WATSON PLUMBING CO.
  (818) 785-2121
  11934 Valerio St.
  N. Hollywood, CA 91605
- PICKRIDGE ENGINEERING
  (818) 781-2121
  6601 De Celis Pl.
  Van Nuys, CA 91406
- VALLEY CESSPOOL CO.
  (818) 248-6473
  4916 Briggs Ave.
  La Crescenta, CA 91214

3737 Canyon Crest is nearest to the canyon both laterally and vertically of all the homes. It also extends below street level to an equal or greater extent than our design.



Zoom for DRP GIS measurements of the minimum lateral distance between homes along the west edge of Canyon Crest and the nearest section of streambed on their property.

Lateral distances are provided both to the DRP stream overlay (S-most segment attached to each home) and our best estimate of where the streambed actually is (N-most segment).

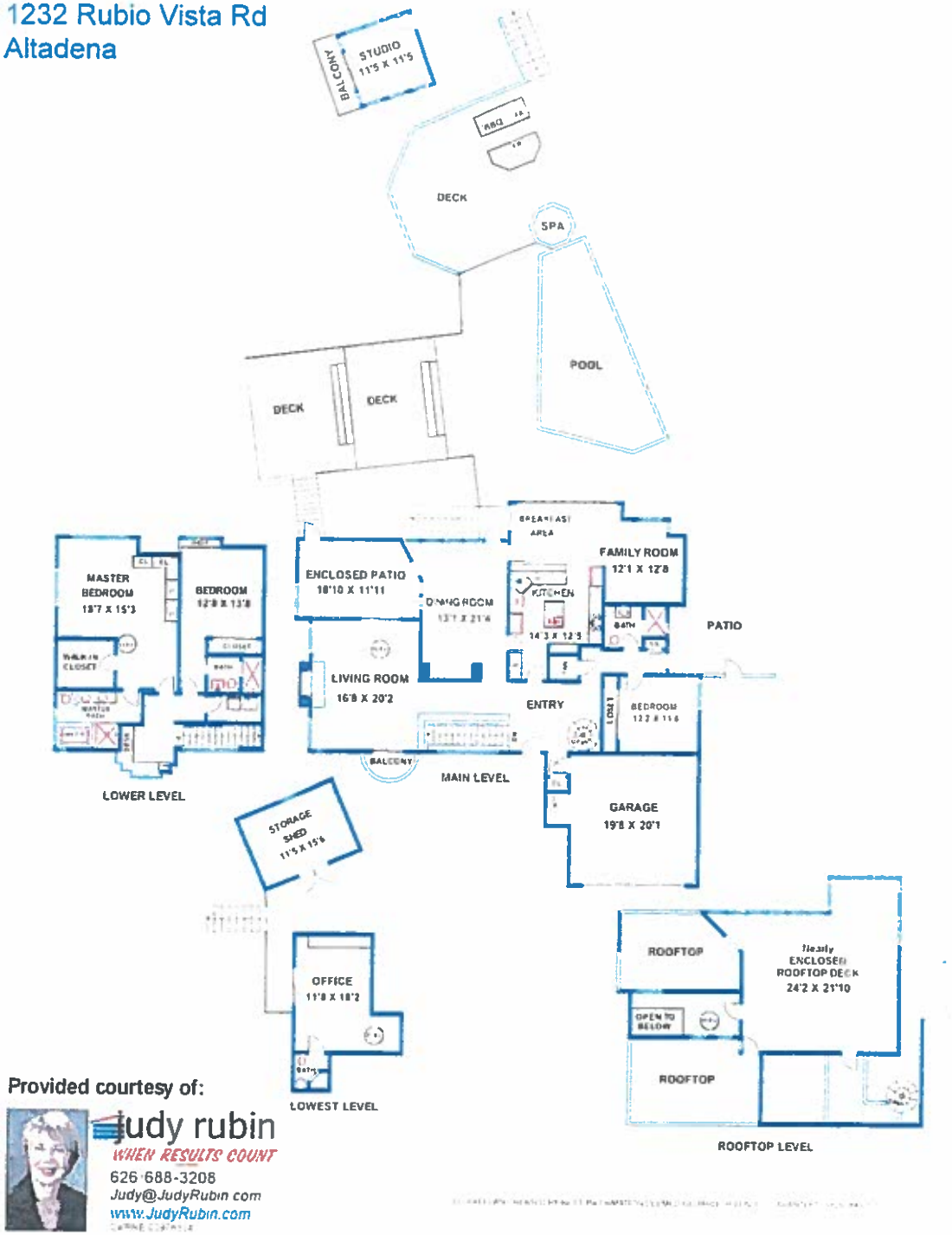
Vertical distances can be derived from the topo (2ft overlay).

Average square footage of the 19 homes within the 300ft minor CUP mailer radius.

Address	sqft
3589 Canyon Crest	958
3617 Canyon Crest	1978
3637 Canyon Crest	1605
3665 Canyon Crest	1616
3624 Canyon Crest	1262
3588 Canyon Crest	1259
3566 Canyon Crest	2105
3556 Canyon Crest	2276
3550 Canyon Crest	1237
3506 Canyon Crest	1920
3500 Canyon Crest	1509
3483 Canyon Ridge	1842
3497 Canyon Ridge	2188
3535 Canyon Ridge	4683
3551 Canyon Ridge	3000
3410 Florecita	1431
3425 Florecita	3756
4001 Canyon Dell	1834
4003 Canyon Dell	2442
Average:	2047.4

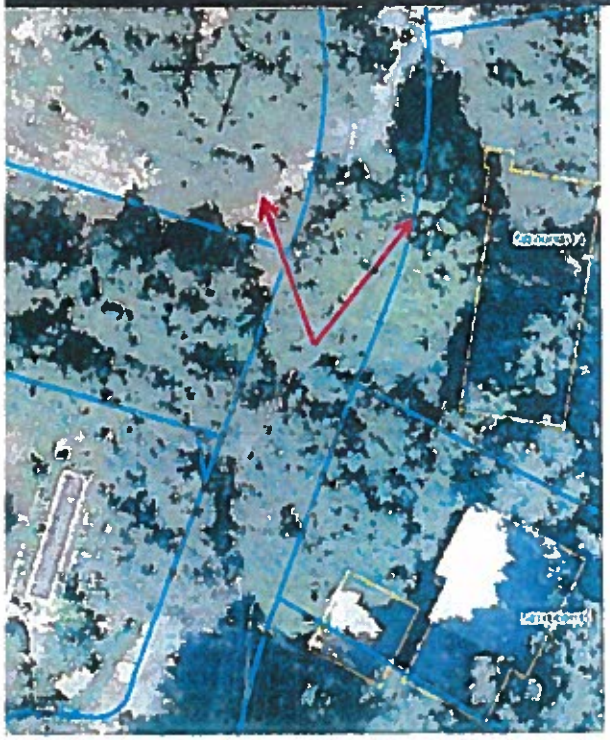
Among just the Altadena homes currently for sale, there is an example with 4+ stories.

1232 Rubio Vista Rd
Altadena

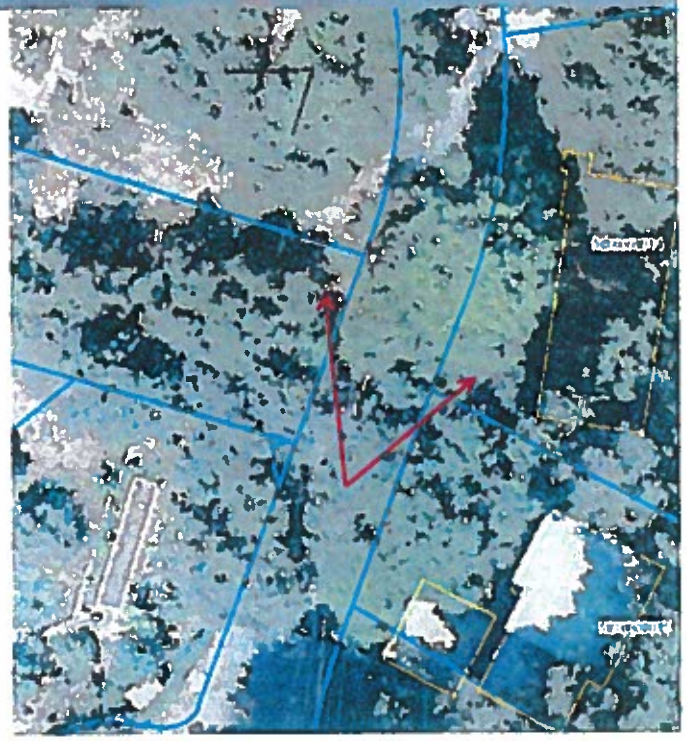


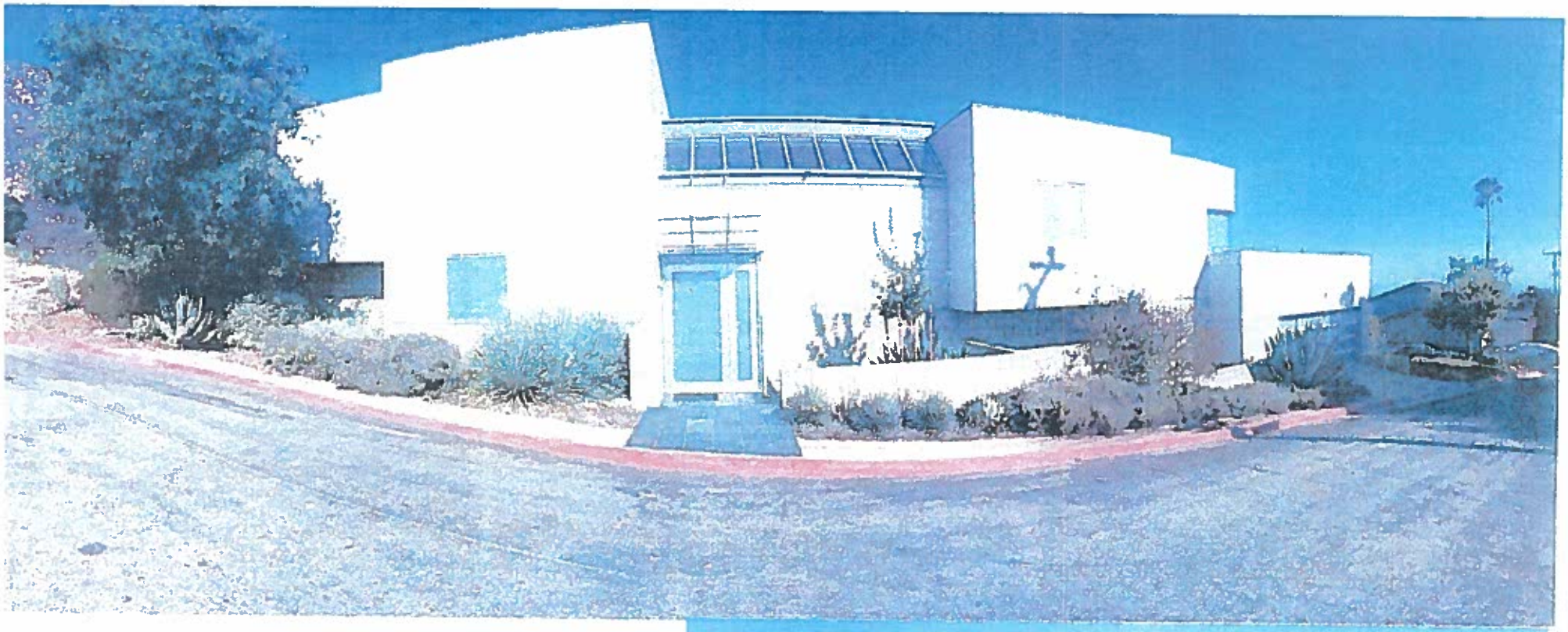
Provided courtesy of:

judy rubin
WHEN RESULTS COUNT
626 688-3208
Judy@JudyRubin.com
www.JudyRubin.com



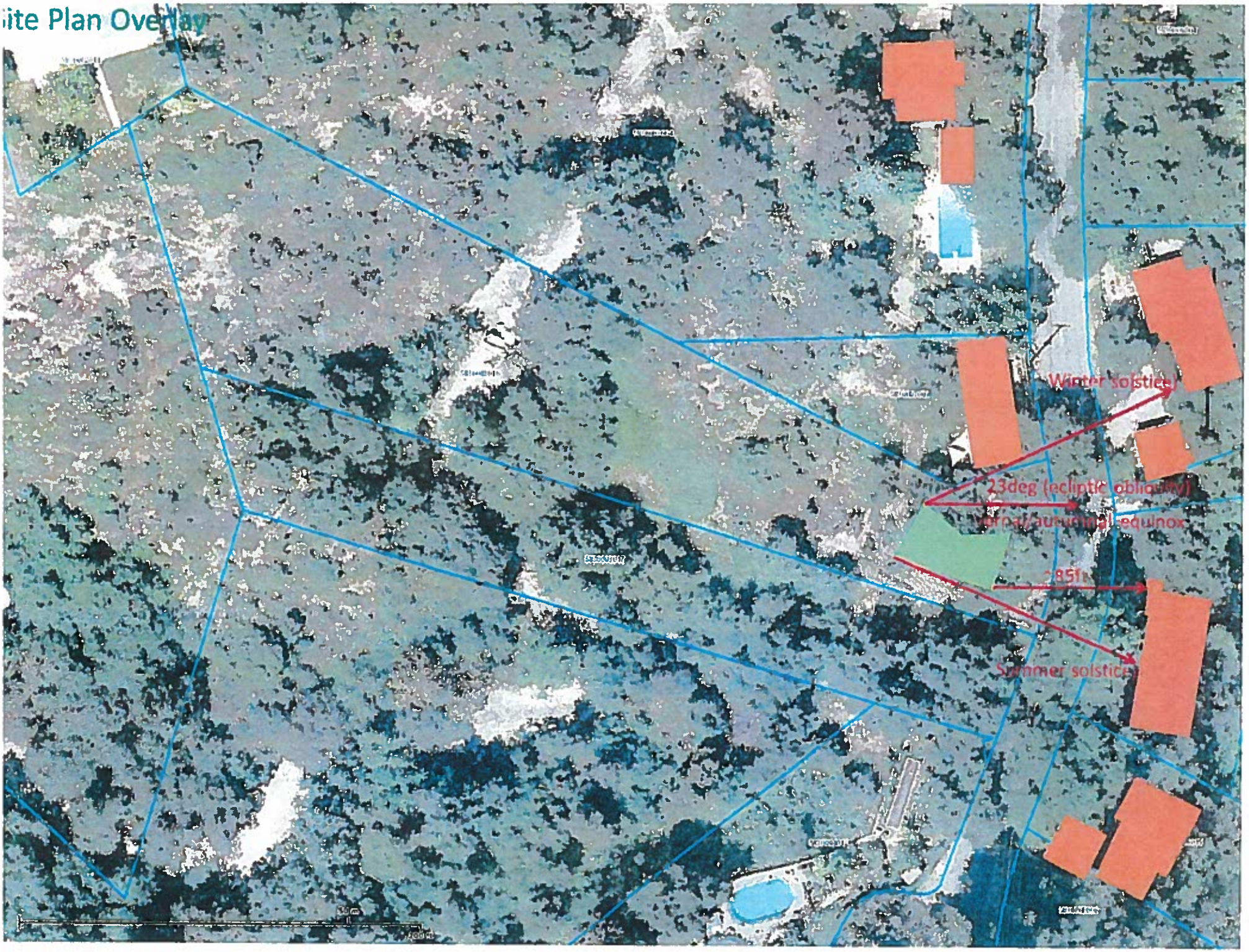
These images show the blocking off of a single lane of traffic on Canyon Crest immediately to the SE of the project to service the sewer siphon that spans our lot. Per the DPW, this occurs every 60 days.

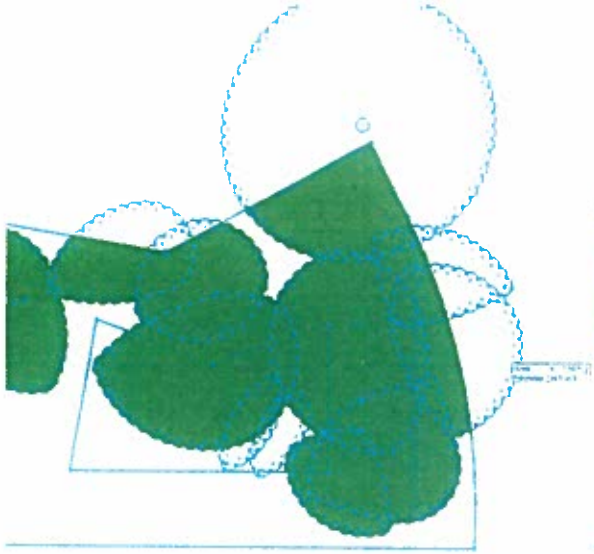




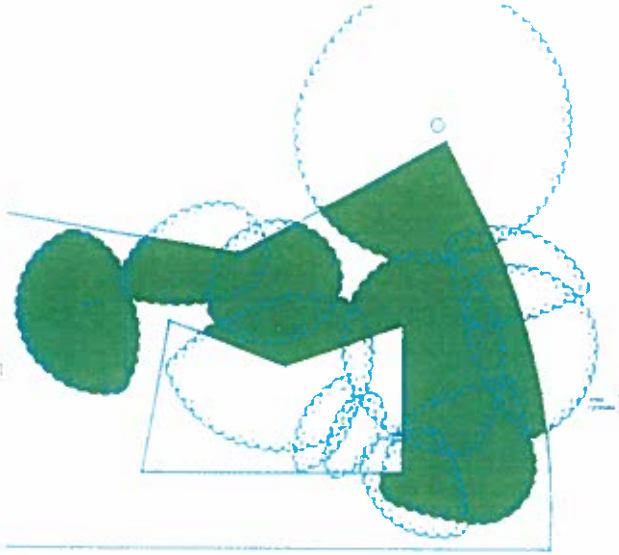
At 3072 Zane Grey Terrace in Altadena, a multi-level, true modern home descends a hillside as steep as our own, from a much more widely visible vantage.

ite Plan Overlay

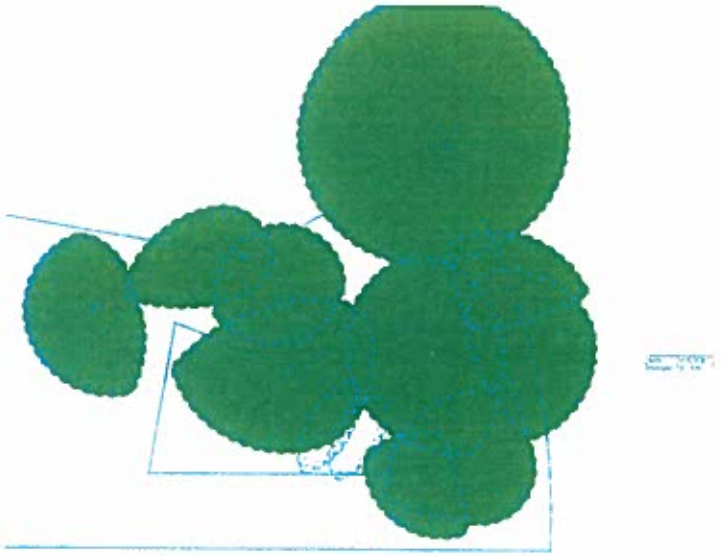




tected oak tree canopy
our lot: 4171sf

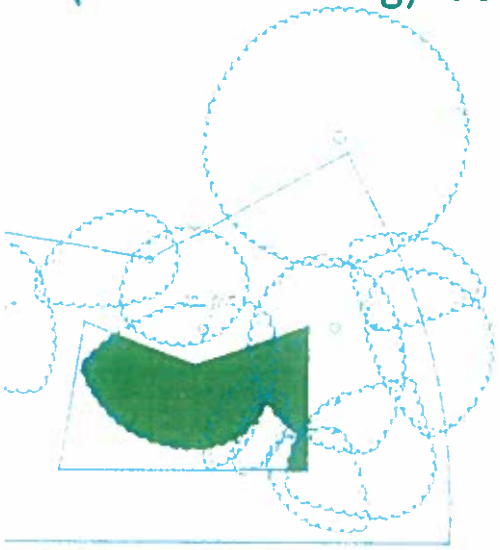


Protected oak tree canopy on
our lot outside the footprint
of our home: 3261sf

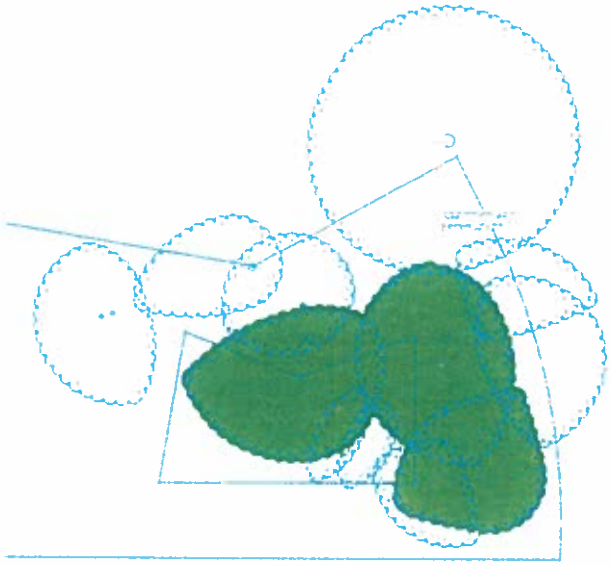


Protected oak tree canopy on
our and adjacent lots, for all
trees encroached: 6571sf

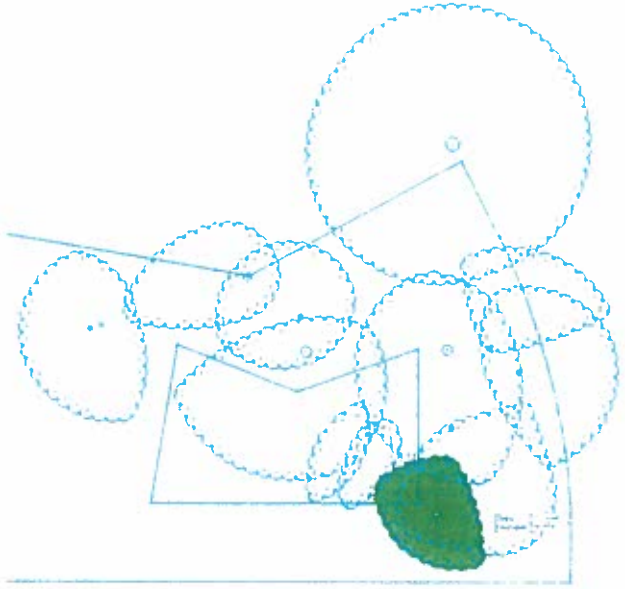
tected oak tree canopy
hin the footprint of our
ne (some overhang): 802sf



Protected oak tree canopy for all
trees with any pruning: 2312sf



Protected oak tree canopy to
be removed: 332sf



Kristina Kulczycki

Subject: FW: RE: Supplemental information

From: Blake Lacey [mailto:blacey@usc.edu]
Sent: Tuesday, March 22, 2016 1:02 AM
To: Kristina Kulczycki
Cc: Stephen & Vandana
Subject: Fwd: RE: Supplemental information

Here is my quoted source

http://www.cbcearthlaw.com/faqs.html

---------- Forwarded message ----------
From: "blacey" <blacey@usc.edu>
Date: Mar 22, 2016 12:49 AM
Subject: RE: Supplemental information
To: "Stephen & Vandana" <svatcc@gmail.com>
Cc:

Here is my letter.

"What is the role of the California Environmental Quality Act (CEQA) in decision-making?

When there is a discretionary action to be taken by a governmental agency and that action may have a significantly adverse effect on the environment, the agency has to comply with the California Environmental Quality Act (CEQA). Generally, a government agency will have to prepare, circulate for public comment, and approve an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND), or a Negative Declaration (Neg Dec), though there are certain statutory and regulatory exceptions to the requirement for preparation of such documents. "

My Comments:

key phrase "Significantly adverse effect on the environment"
In this case, removing one oak tree and pruning two others does not qualify as a significant adverse effect on the environment. You are planting new oak trees on the property to compensate for this oak tree that is blocking your legal right to build a home on your property according to the Alta Dena zoning ordinance. Your property clearly obides by all of the requirements listed to build a home and obtain a building permit in this Alta Dena neighborhood. Your neighbors have the right to voice their opinions on the matter however they cannot remove your right as a property owner to build on your private property as long as you obide by all zoning ordinances which you clearly have.
Your neighbors cannot tell you to re-design your renderings for your home and make comments that your house is too tall and it does not fit in with the neighborhood. Just because some of your neighbors did not want to take advantage of their air rights given to them by the Alta Dena planning department does not mean you can't build to the allowed zoning height for the neighborhood.
Laws and regulations in California are put in place in order to create an equal opportunity for everyone to build a house on a piece of property with set zoning ordinances to create an equal opportunity to build within these perimeters. As long as these regulations and rules are correctly followed, "in this case they are" then it is illegal

and discriminating to deny a person their equal right to build on this property if they have correctly followed all of the rules and regulations.
If a neighborhood is discriminating against these property owners for lawfully purchasing this piece of land, that they themselves had the opportunity to purchase and didn't, they have no right complaining. Their complaints are unethical, unjustified, and discriminatory towards Stephen and Vandana.

University of Southern California Senior
Price School
Public Policy and Development Major

-Blake Lacey

Kristina Kulczycki

From: Kara Bjornlie [karabjornlie@gmail.com]
Sent: Monday, March 21, 2016 10:04 PM
To: Kristina Kulczycki
Subject: Development on Canyon Crest in Altadena - R2014-02411-(5)
Attachments: Lot 5830-003-016 Oak Tree Report - pg 6 and 7.pdf; ATT00001.htm; A1.0_SitePlan_AD_20150713-comments.pdf; ATT00002.htm

Dear Ms. Kulczycki-

You have already heard from me, expressing my concerns and opposition of the proposed development on Canyon Crest so, I appreciate you taking yet another letter from me.

When I look at the drawings of the proposed structure on site in the context of the water shed, soils and existing oak trees, I am baffled that this project has gotten as far as it has. I am not a hydrologist nor geotechnical engineer, so I can't speak to the geology or drainage, but I am a Landscape Architect and have worked with Oak Tree reports, so I took it upon myself to study the report for this project (thank you for sending the plan this morning).

I couldn't understand how an arborist could write a report that showed so little impact from the proposed structure. After reviewing the report and the applicants' site plan, I see that there are discrepancies between the information the arborist had when writing the report and the site plan that is presented today.

On pages 6 and 7 of the Oak tree report under the Project Impacts heading, it states the house will consist of a garage at street level with the main floor below. There is no mention of the 3rd floor that rises 31' from grade into the canopy of the Oaks. The report also mentions a smaller, 5' retaining wall. The current site plan shows 2 much longer retaining walls. The knowledge of a third floor and the removal of canopy that would require and the impact of such a retaining wall would result in a far different report.

I have attached pages 6 and 7 from the report highlighting the paragraphs I reference. Also attached is the site plan where I have marked the proposed retaining wall, the Oaks that will be encroached on and images of those trees' canopies that would be removed. I have also drawn over their isometric of that side of the house to show that clearly the arborist was not given the information for the house that is proposed today.

The report also does not mention the grading under and around the trunks of Oaks #8 and #9 (I accidentally covered over them on this site plan).

I am pleased to say that many of the Altadena Town Council members were convinced they needed to take a look at the site and those that did changed their minds and voted to not recommend the project to L.A. County Regional Planning. Seeing is believing, and in this case also quite revealing.

Thank you for your time and concern,

Sincerely,

Kara Bjornlie
4470 Rising Hill Rd.
Altadena, CA

induced symptoms indicate an equal chance to either decline or continue in the future. Most of these trees would have moderate stem and branch dieback, some bark exfoliation, or stem cavitation with rot, and relatively moderate fire damage. They may also show various amounts of insect damage to leaves etc. or are impacted and shaded or crowded by adjacent trees in such a way that it is expected to negatively effect the tree.

"D" = Below Average/Poor

Declining trees with a reduced chance of survival due to excessive fire damage, or strong-stem or branch dieback caused by crowding, shading or various pathological conditions. These would not be expected to survive over the long term and generally show partial foliage. However, some may show sucker shoots or crown-sprouting that have developed after the fire and are expected to survive over the long term.

"F" = Dead:

This tree exhibits no signs of life whatsoever.

Does not acknowledge the 3rd floor

PROJECT IMPACTS

The applicant is proposing to construct a new single-family residence of approximately 1,500 square feet with an attached integral garage on the 1.02-acre hillside site. The residence will consist of a garage at street level, with the main floor below the garage descending the hillside. The lowest level further descends the hillside under a subset of the main floor footprint. The only excavation proposed for the proposed structure will be for a proposed five-foot retaining wall and six 24-inch CIDH friction piles that will support the structure. Illustrated on the Oak Tree Location & Impact Map are the location and canopies of the ordinance-sized oak trees located on the subject property and within the immediate vicinity of the subject property. Ten (10) surveyed and tagged ordinance-sized oak trees fell within this limit. **One (1) oak tree is proposed for removal, eight (8) are proposed to have either temporary or permanent encroachments within their protected zones, and one (1) oak tree will remain with no impact.**

Applicants' Site Plan shows (2) retaining walls; 24'-5 1/2" and a 18'-1"

Applicants' Site Plan shows (2) retaining walls; 24'-5 1/2" and a 18'-1"

Trees #1, 2, 3, 4, 5 and 7 are proposed to have encroachments within their protected zones due to the placement of a vapor permeable driveway off of Canyon Crest Road. The placement of the driveway is not anticipated to result in any significant impact to the trees. The placement of the new driveway will be placed over existing grade and may require a slight notching of the hillside for placement of the driveway. No significant impacts to the trees are anticipated as a result of the driveway placement.

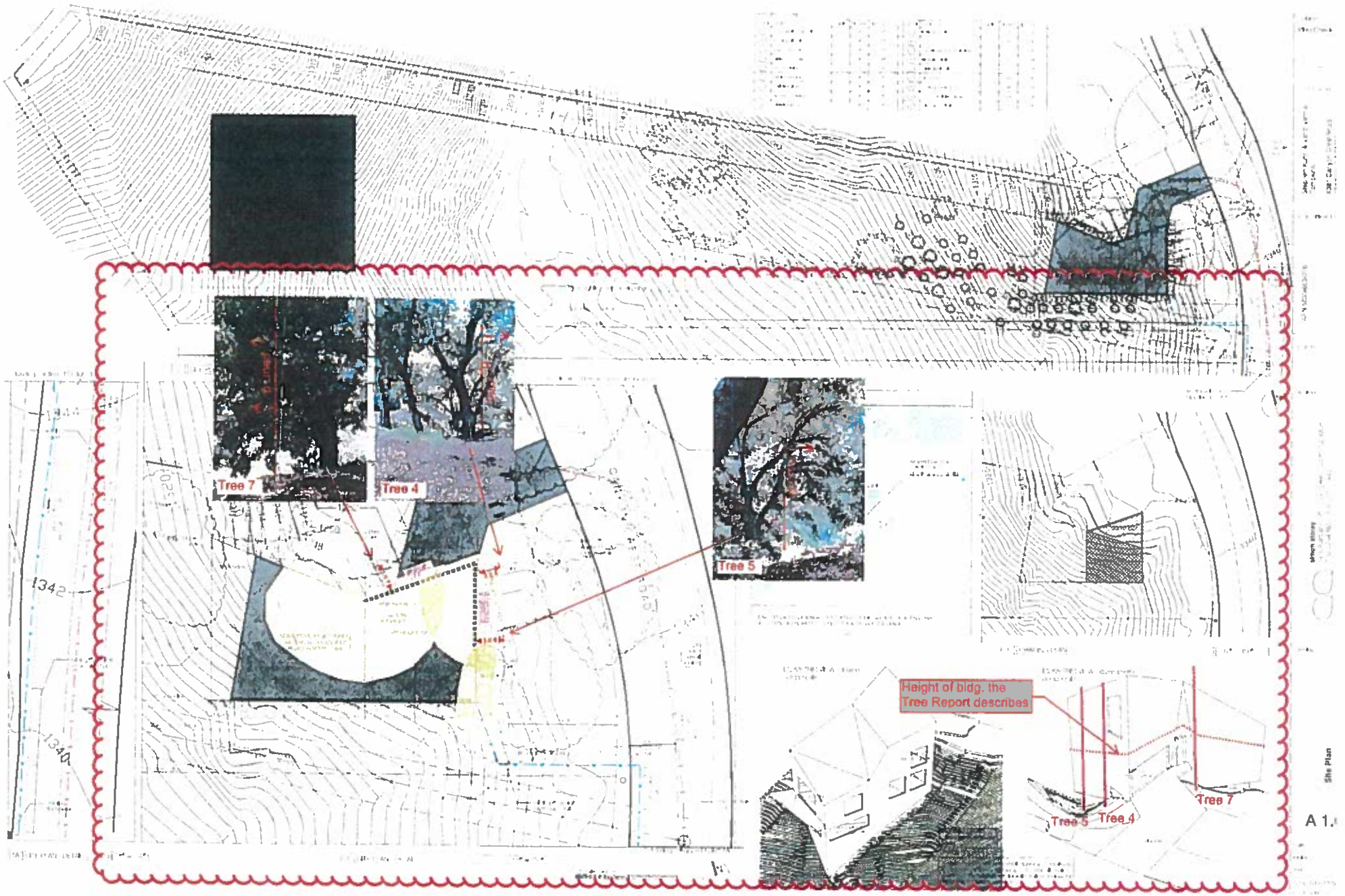
The placement of a five-foot retaining wall within the canopies of Trees #4, 7, and 8 will result in a potential impact to the root system of those trees. The retaining wall is approximately 4 feet from the trunk of Tree #4, 6 feet from the trunk of #7, and 1 foot into the protected zone of #8. The minimum industry recommendation for excavation on one side of a tree is five times the trunk diameter (given a healthy tree). The proposed excavation is closer than this recommended distance to Trees #4 and 7 and could result in damage to the root system of the trees. Excavation should be performed under an arborist's guidance.

The proposed residence is located on a slope and will be supported by six 24-inch CIDH friction piles on a grade beam foundation. Five out of the six piles will be located within the protected zones of Trees #4, 5, and 7. However, it does not appear that a significant portion of the root system of any of the trees would be impacted by the minimum 24-inch hole, and the overall health and stability of the trees should not be compromised. Since the location of actual roots is unknown until excavation occurs, actual impacts to specific roots cannot be determined at this time.

The proposed building encroaches into the canopies of Trees #4, 5, and 7 and may result in some canopy pruning. Any pruning that may be required should be performed under an arborist's guidance.

The following table summariz species is noted after the tree number in a co lso noted. The

Had the Arborist been aware of a 3rd floor rising up through the canopy he would not have said "some pruning", for this would be significant pruning


Tree 7
Tree 4
Tree 5
Height of bldg. the Tree Report describes
Tree 5
Tree 4
Tree 7
1342
1340

Kristina Kulczycki

From: Kara Bjornlie [karabjornlie@gmail.com]
Sent: Monday, March 21, 2016 6:21 AM
To: Kristina Kulczycki
Subject: Development on Canyon Crest in Altadena - R2014-02411-(5)

Follow Up Flag: Follow up
Flag Status: Completed

Hello Ms. Kulcycki-
Regarding the above mentioned proposed project, I have reviewed the Oak Tree Report, but one major component was left out of the material I found.
There is an Oak Tree Location and Impact Map referenced in the table of contents as being in the back pocket. This is a big part of the report and without which, the report cannot be properly reviewed.
Our Altadena Town Council suggested I ask you for it, as they don't have it either.

Thank you very much,

Kara Bjornlie
4470 Rising Hill Rd.
Altadena, CA

Kristina Kulczycki

From: Karen Hovanitz [karen.hovanitz@sbcglobal.net]
Sent: Sunday, March 20, 2016 4:19 PM
To: Kristina Kulczycki
Cc: Stephen & Vandana; Mary Novak; Gary Novak; Eric Hovanitz
Subject: Support for home proposed on Canyon Crest Road, Altadena

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Kulczycki,

We are writing to express our support for Stephen and Vandana and the home they wish to build on Canyon Crest Road in Altadena. We have owned our home at 3405 Florecita Drive, which is two lots south of Stephen and Vandi's lot, and which also overlooks Millard Canyon, since 1986. We love the peace and beauty offered by our home's setting in nature, and we also value the cultural wealth of our community. Altadena has long been a place where people from all walks of life are welcome. Northwest Altadena/Pasadena is an eclectic neighborhood, with a marvelous collection of unique homes. Our own home began life as a county store in the 1920s.

Stephen and Vandi, with the help of their architect, have designed a modest home that will present a low profile on the street side. Tremendous thought has gone into preserving view corridors for adjacent neighbors. They have taken the utmost care to preserve the natural character of the site. The home will be far above Millard Creek; much further than required by FEMA guidelines for a blue-line stream. In addition, they have gone far above and beyond what might be expected in including neighbors at all stages of their planning. Karen enjoyed meeting with them on their lot, and hearing about their plans.

We assume that Stephen and Vandi purchased their lot with the intention of building a home. If this was not a buildable lot, certainly they should have been apprised of that before purchase. If this lot was intended to remain as open space, it was incumbent upon the County of Los Angeles, or an interested individual or group, to purchase it as such. Since this is not the case, we do not feel that it would be just to deny the owners a building permit after the fact.

Sincerely,

Karen and Eric Hovanitz
3405 Florecita Drive
Altadena CA 91001
626-398-0956
karen.hovanitz@sbcglobal.net

Kristina Kulczycki

From: Randy Baer [rbaer@pacbell.net]
Sent: Sunday, March 20, 2016 3:00 PM
To: Kristina Kulczycki
Subject: Statement of Opposition to Project #201400014
Attachments: Regional Planning Hearing Officer Statement of Opposition.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kristina,

Attached you will find a Microsoft Word file that contains my opposition statement to project #201400014. I have also mailed a printed copy to you which should arrive either Tuesday morning.

My statement is intended for you, staff and the hearing officer and details many of the points I have brought up during our previous conversations.

Thank you for all your assistance in this matter. I appreciate it very much.

Sincerely,

Randy Baer
3588 Canyon Crest Road
818-425-4462

Statement of Opposition
from Randall Baer
3588 Canyon Crest Road
Altadena, CA

RE: Project No. R2014-02411-5
3577 Canyon Crest Road
Altadena, CA

Randall Baer
Wendy Wilson
3588 Canyon Crest Road
Altadena, CA 91001

When the Altadena Community Standards District Additional Development Standards for Hillside Management were adapted in November 2010, they were adapted for a reason. For years, Altadena residents had been trying to protect their local canyons from the type of hillside development that was plaguing so many other areas of Los Angeles County.

The first paragraph of this ordinance states that its intent and purpose is to "ensure that new and expanded structures are compatible in size and scale with the surrounding residential neighborhoods." This one sentence is a distillation of all their work and exemplifies how important this topic was to all those who participated.

This document addresses issues that, each and of themselves, I feel is sufficient to require a design modification of this project, if not a complete denial of the requested building permit.

Exhibit 1:
These photographs show the comparative building heights of the four adjoining homes on Canyon Crest Road:

3589 Canyon Crest Road, has height of ~ 8-10' above grade. (Built in 1949)

3617 Canyon Crest Road, has a height of ~16'. (Built in 1910)

3637 Canyon Crest Road has a height of ~ 12'. (Built in 1940)

3665 Canyon Crest Road has a height of ~11' above grade. (Built in 1922)

All of these homes are single story and were built upon reasonably level lots. Their low rooflines allow neighbors across the road an unimpeded view of the canyon hillside beyond.

With a peak height of ~32 feet at the NE corner, the proposed building at 3577 Canyon Crest Road would be twice the height of the tallest home on the west side

of Canyon Crest and nearly 4 times the height of the closest neighbor. A roofline of this height, especially a roofline that is predicated on encompassing a 22' loft over a garage, is excessive and does not meet the desire of the Community Standards District Ordinance to be "compatible in size and scale...".

Exhibit 2:
The architect's model depicts the overall massing of the proposal, which is required by code to be only 2-stories in height. The applicant's architectural drawings depict four distinct stories and, if allowed, the building will have an overall height of ~62 feet from the lowest south west corner to the highest north east peak. While legally staying within the 35-foot-high building code requirement, the massing of the project is effectively the visual equivalent of a 6 story building. I dispute the applicant's argument that this proposal meets the qualification of being a 2 story home. The classification of their loft structure as a garage is merely an attempt to bypass code restrictions. The loft area is clearly depicted in the architectural drawings as having workstations and computers. The applicants have admitted in public hearings that they intend to use it as a work area and not for storage. A garage that is considered "compatible" with its single-story neighbors does not need a 22' loft area above it. The intentions of the Community Standards District conditions are not being adhered to and I request that the design be modified to meet them.

I also have concerns about the safety of locating a metal structure in such close proximity to the Southern California Edison 4.16 Kv high voltage lines that adjoin the property. The ~32' roof height will be within the arcing zone of these lines during construction and poses an additional hazard to workers, equipment and the homes supplied by these power lines.

Exhibit 3:
This section addresses the Hillside Management Area code intent that <u>"all areas with a natural slope of 25% or greater remain in a natural state".</u> For over 100 years this piece of land has remained in its natural state because it has been considered too steep to build upon. With the enactment of the 2010 Hillside Ordinance this belief was made even more resolute with the insertion of the statement, <u>"to remain in a natural state".</u> While I acknowledge that the applicants have a right to own their property, I dispute that they automatically have a right to build whatever they like upon their property.

The lot at 3577 Canyon Crest Road has a measured slope of 100%. This property is not a mere 1 or 2% steeper than the intent of the ordinance, it is 400% steeper than the stated desire of the ordinance and thus, should remain in its natural

Previous owners have attempted to erect structures on this lot and have been prohibited from doing so by the county. This proposal is much the same as those prior attempts, albeit more highly engineered and better funded.

To the best of my knowledge, there is not a single home in this area of Altadena that descends down into Millard Canyon as this proposed project will do. All of the nearby homes were built on level lots between Canyon Crest Road and the edge of Millard Canyon. Allowing a new building to be constructed below the canyons edge will be a dangerous precedent that would be contrary to the intent of the Altadena Hillside Ordinance. It would also be contrary to the intent that any "first view" of a canyon area be protected for the public enjoyment.

Exhibits 4-4.1

I dispute the applicant's assurances that the trees in this designated Oak Woodland will not be damaged during the construction process. Their entire project is predicated upon being able to stage all of the machinery necessary for drilling caissons and pouring grade beams as well as all building materials needed for construction on a "pad" underneath 6 mature oak trees. Analysis of this pad area was intentionally avoided during the applicant's geological survey for fear of damaging the root systems of these trees. The "pad" consists entirely of leaf and wood mulch that was dumped there by the previous owners of the property. It ranges from several inches in depth at roadside to more than 30 inches in depth at trees #7 and #8 at the canyon's edge.

Numerous regional and state oak woodlands management reports advise against disturbing the root zones of these trees for fear of permanent damage. Placing a layer of plywood over this layer of mulch and using it as a parking area for drilling rigs, dump trucks, concrete deliveries, building materials and employee parking for up to one year is in direct conflict with the mandate to not disturb the root zones of these trees.

I am concerned about the applicant's possible intent to use the trunks of these oak trees as safety anchors should construction be approved. The 45^{0} slope is steep enough to require Cal OSHA mandated safety ropes and harnesses. OSHA also requires secondary anchors which would require drilling into the root zone of the oak grove above. The use of the under-canopy "pad" area for any of these purposes is contrary to the recommended oak woodlands protection standards.

I also question the accuracy of the current architectural drawings which indicate that the garage level is at 1346', the same elevation as Canyon Crest Road. From reviewing these drawings, it appears that the depth of the mulch layer has not been taken into consideration with this design and brings into question the

applicant's plan to construct a driveway and garage entrance ramp upon this material. The Oak Tree Management Report is clear in its recommendation that this root zone not be impacted by grading, filling or paving; all of which would be necessary if the applicant's current plans are approved.

Exhibit 5:
The applicant's Burden of Proof statements do not address the large, granite boulder that is located within the proposed foundation grade beam zone. At an estimated 50,000 lbs., this boulder poses a substantial risk should it break loose and tumble into the canyon below. If such a catastrophe were to happen there is an expectation that the sewer line that serves the 250 homes in The Meadows area would be severely impacted and raw sewage would flow into the Millard Canyon blue line stream. This is an area that needs to be assessed in much deeper detail than has currently been addressed by the Los Angeles County Department of Public Works.

The applicants have waged a concerted public relations effort via their webpage and the information contained within it. A majority of the Altadena Town Council members appear to have drawn their information from this site rather than from physical visitation to the property in question. There are multiple discrepancies posted on this website that have served to distort disputed points. Of the five known members of the council who have visited the site, all five have voted against its approval.

The 3D models and wireframe renderings, while picturesque, are under scale and misrepresent the true size of the proposed project. Actual site measurements, when overlaid these renderings, depict a project that is 1/3rd larger than depicted. While the applicants repeatedly state that the existing oak tree canopy will shield their building from public view, site measurements show that the ~32' loft peak will be nearly as tall as the tree canopy.

The applicants repeatedly state that they have always been open to input and have actively solicited comments from neighbors and the community. Plans and models were first presented to us on July 25, 2015. My very first email response to the Planning Department questioned the suitability of this proposal and was dated July 29, 2015. Subsequent documents, provided by the applicant and the county, indicate that this design had been finalized and approved by various departments several weeks before the July 25th unveiling. The applicants have also stated at public hearings that any changes to the design at this time would be costly and time consuming.

We have been presenting our objections to the suitability of building on this hillside lot as well as the overall height of the roofline since July of last year. These objections clearly contrast with the applicants' statements that they have always been open to suggestions regarding design change. From all appearances, this design was locked in by July 25, 2015 and that there was never any intent to modify the design subsequent to neighborhood input.

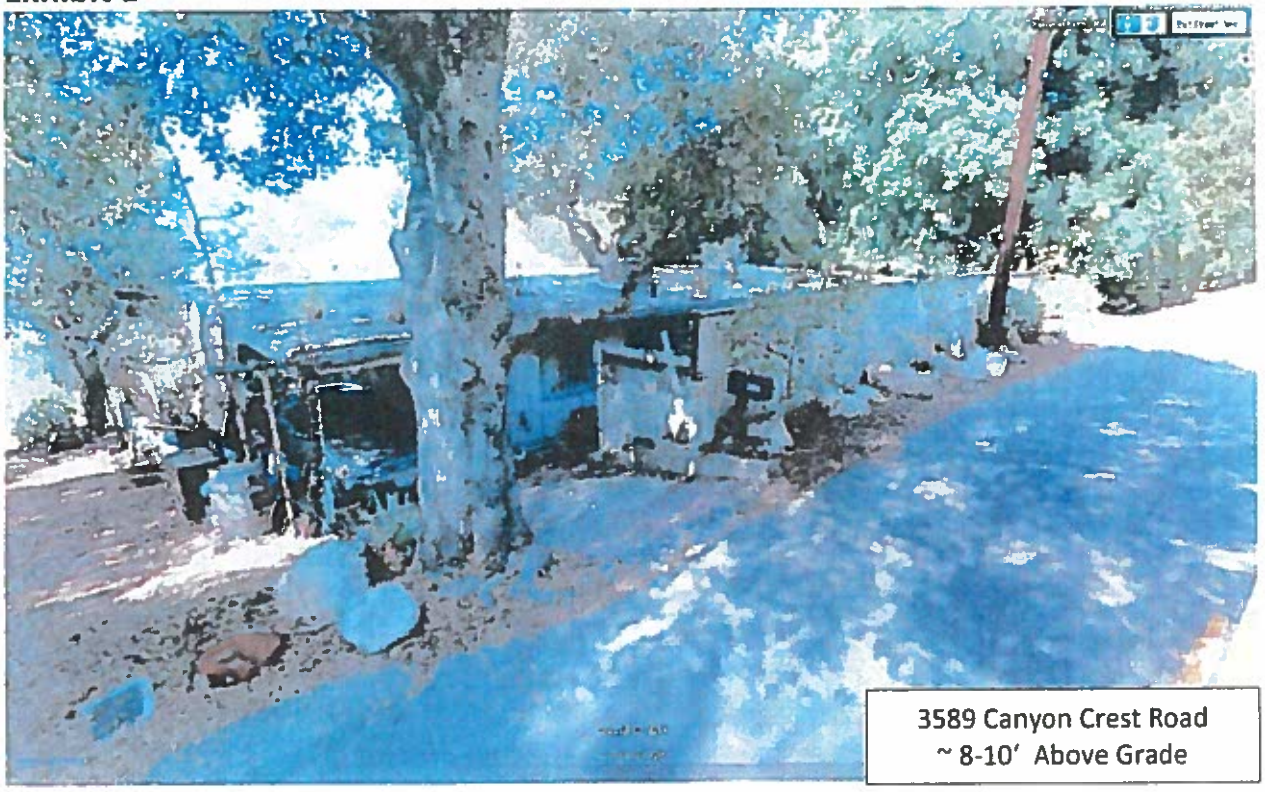
I respectfully ask that you reject the proposed project as not adhering to the intent of the 2010 Altadena Community Standards District Hillside Ordinance.

If, the decision of the hearing officer is contrary to my objections, I then request that the applicants be required to come up with an alternate design that more closely meets the intent of the Altadena Community Standards District Hillside Ordinance, is smaller in scale, and is more compatible with the heights of the neighboring homes.

Respectfully,

Randall Baer
3588 Canyon Crest Road

Exhibit 1



3589 Canyon Crest Road
~ 8-10' Above Grade

Exhibit 1.1

3617 Canyon Crest Road

Exhibit 1.2

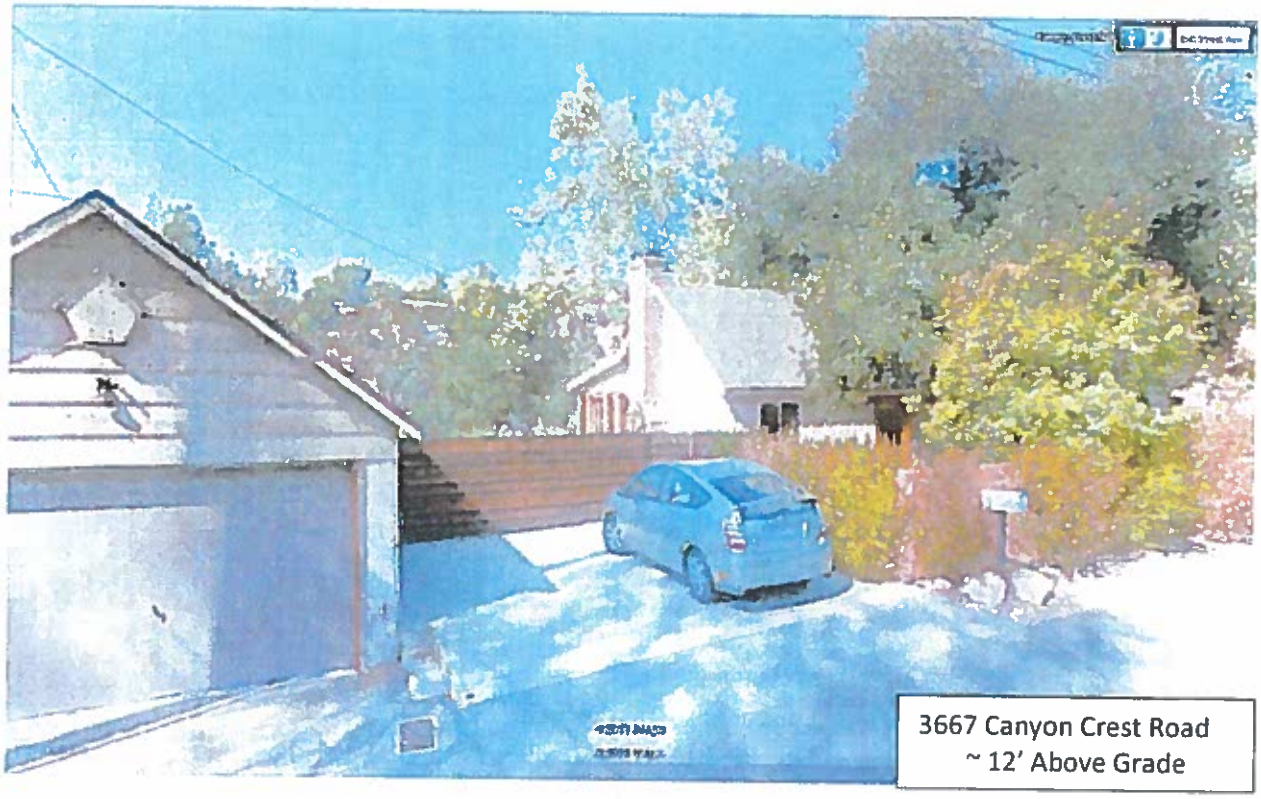


Exhibit 1.3

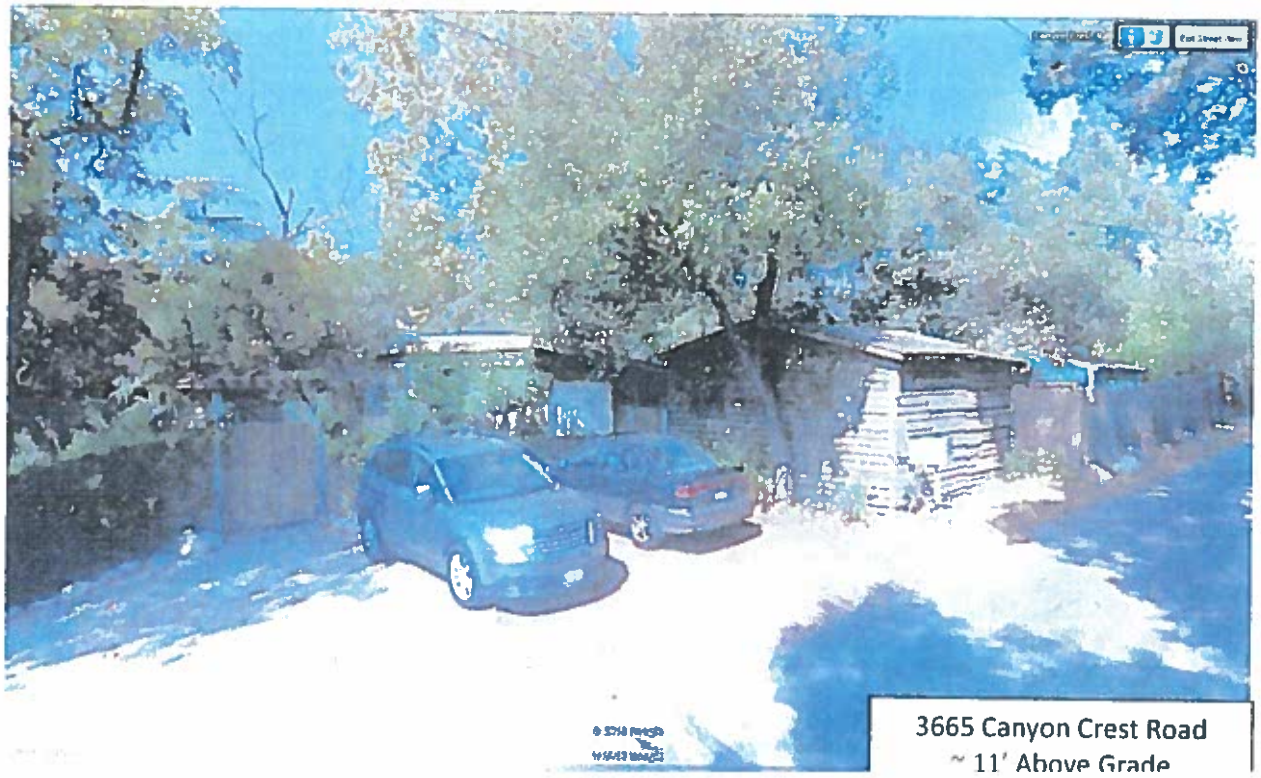
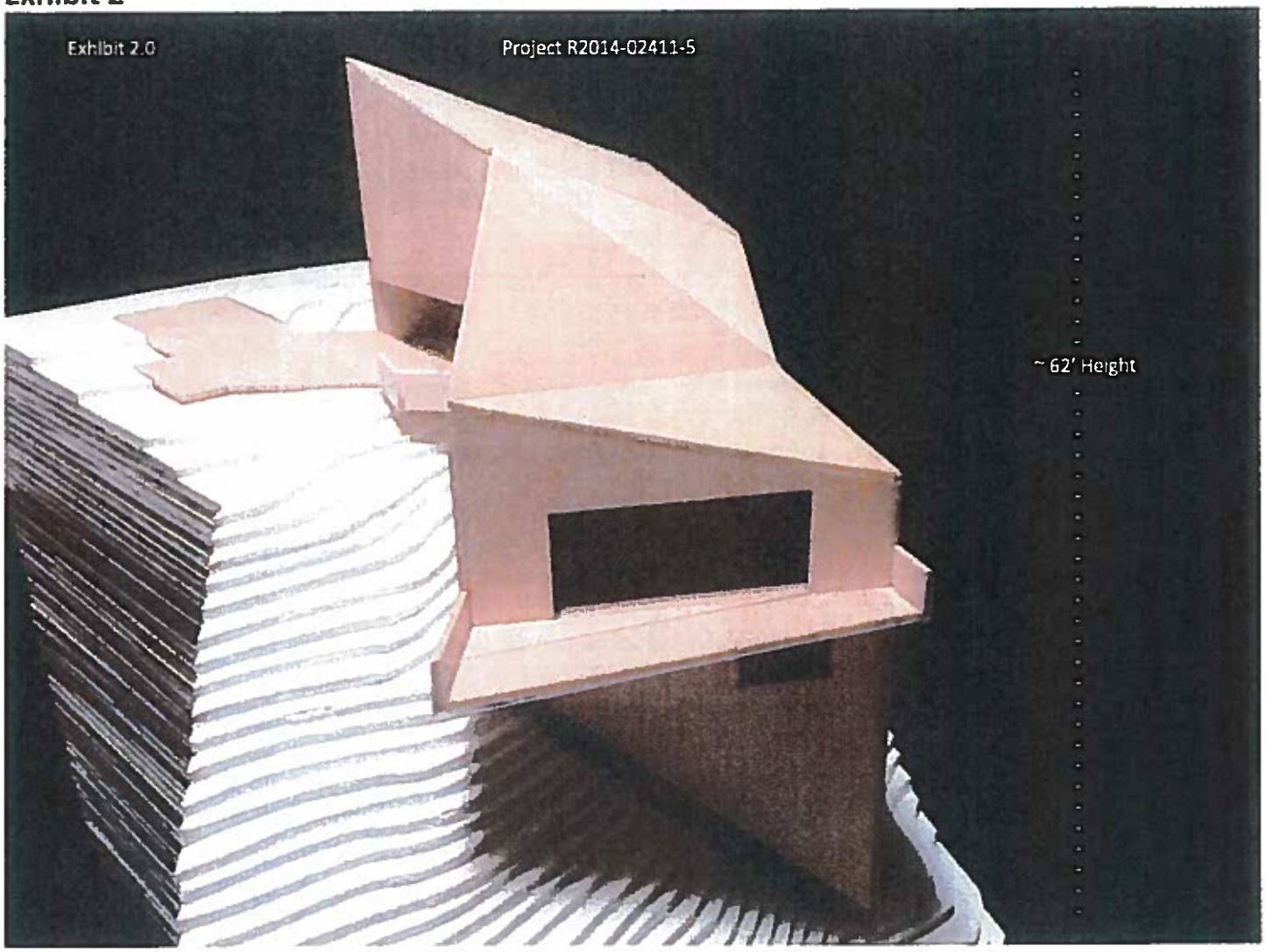


Exhibit 2



Applicant's Model Depicting Height of ~62' from SW Base to NE Peak

Exhibit 3

22.44.127 - Altadena Community Standards District.

A. Intent and Purpose. The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts. The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas.

B. Description of District. The boundaries of the District are coterminous with the boundaries of the Altadena Community Plan. The map of the District follows this Section.

C. Community-wide Development Standards.

1. Landscaping. Where landscaping is required by this CSD, it shall be maintained through regular pruning, weeding, fertilizing, litter removal, and replacement of plants as necessary.

2. Hillside Management.

a. Applicability. The provisions of this subsection shall apply in hillside management areas, as defined in Section 22.08.080, except for:

i. Applications submitted to the Department of Regional Planning and deemed complete prior to the effective date of the ordinance creating this subsection, provided that plans submitted with the application depict all proposed grading and structures.

ii. Changes to applications approved by the Department of Regional Planning prior to the effective date of the ordinance creating this subsection, provided that such changes:

(A) Do not cumulatively increase the previously approved floor area or height of any structure by more than 10 percent; and

(B) Do not cumulatively increase the previously approved amount of grading to more than 2,500 total cubic yards of material.

iii. Applications to repair or reconstruct a damaged or destroyed structure that was legally established prior to the effective date of the ordinance creating this subsection.

b. Permit Required.

i. A minor conditional use permit, as provided in Section 22.56.085 shall be required for any development that is not otherwise subject to a conditional use permit pursuant to Section 22.56.215, except for:

(A) Additions to a structure that was legally established prior to the effective date of the ordinance creating this subsection;

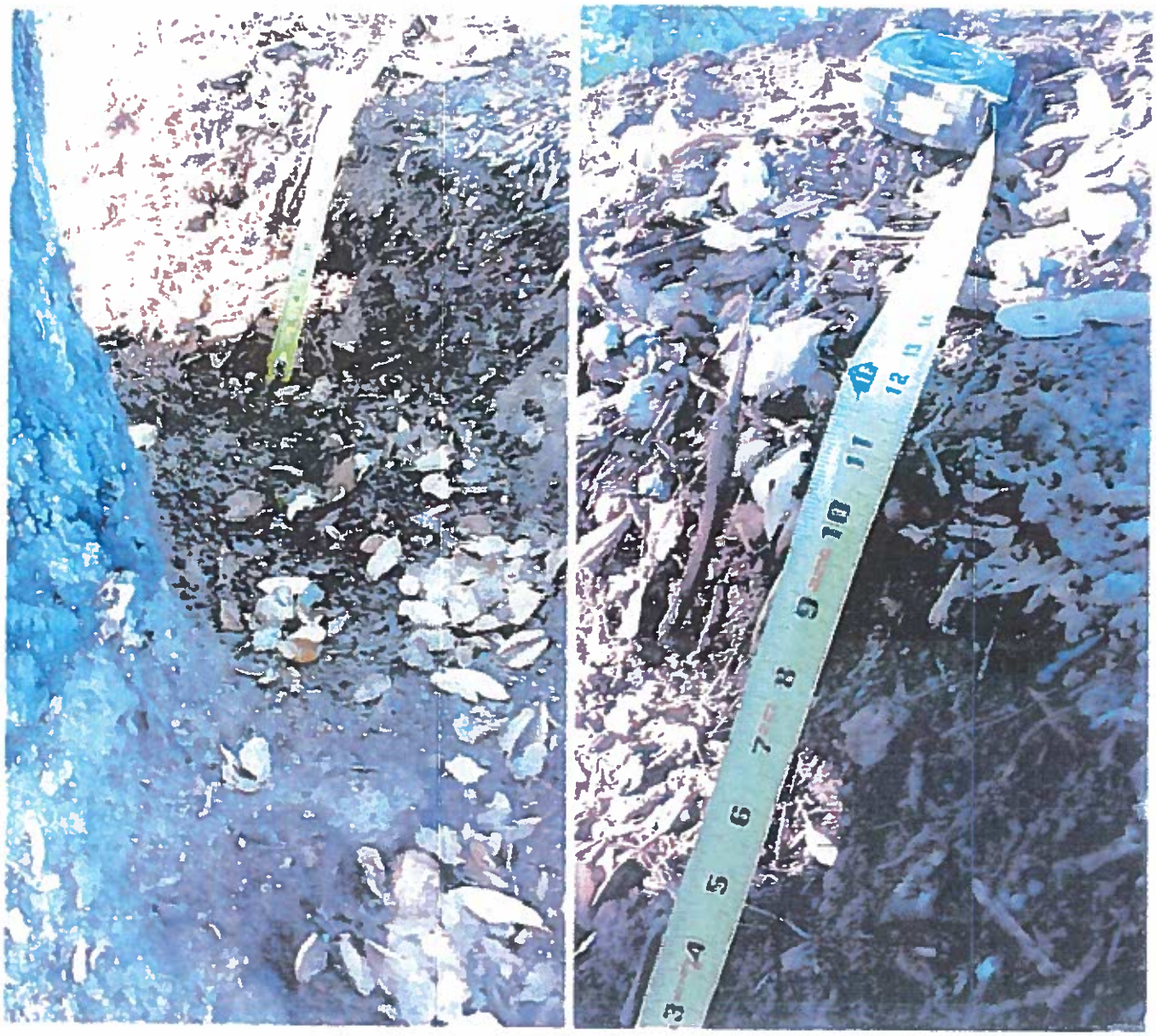
(B) New accessory structures; and

(C) Development designed so that all areas with a natural slope of 25 percent or greater remain in a natural state.

Exhibit 4

Oak Tree #7 Root Crown Mulch Depth ~30-32"
Located at Western Edge of Fill Pad

Exhibit 4.1

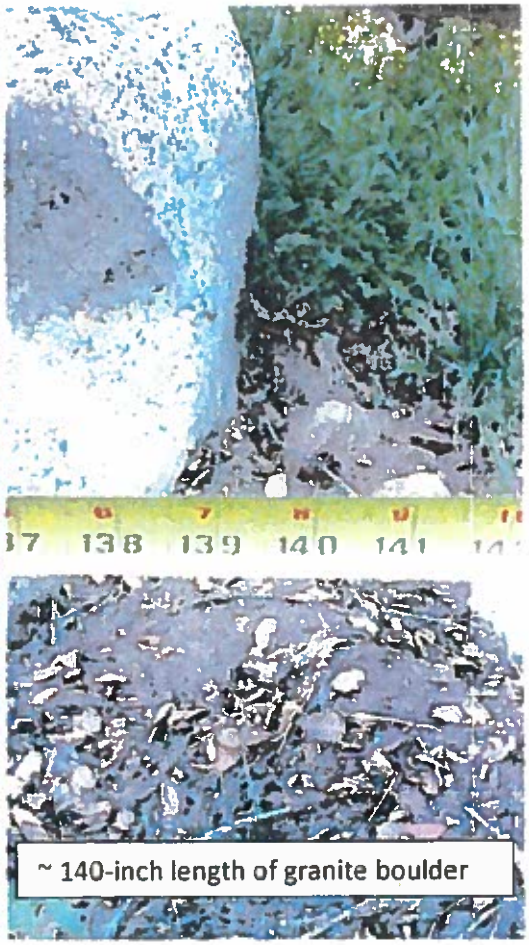


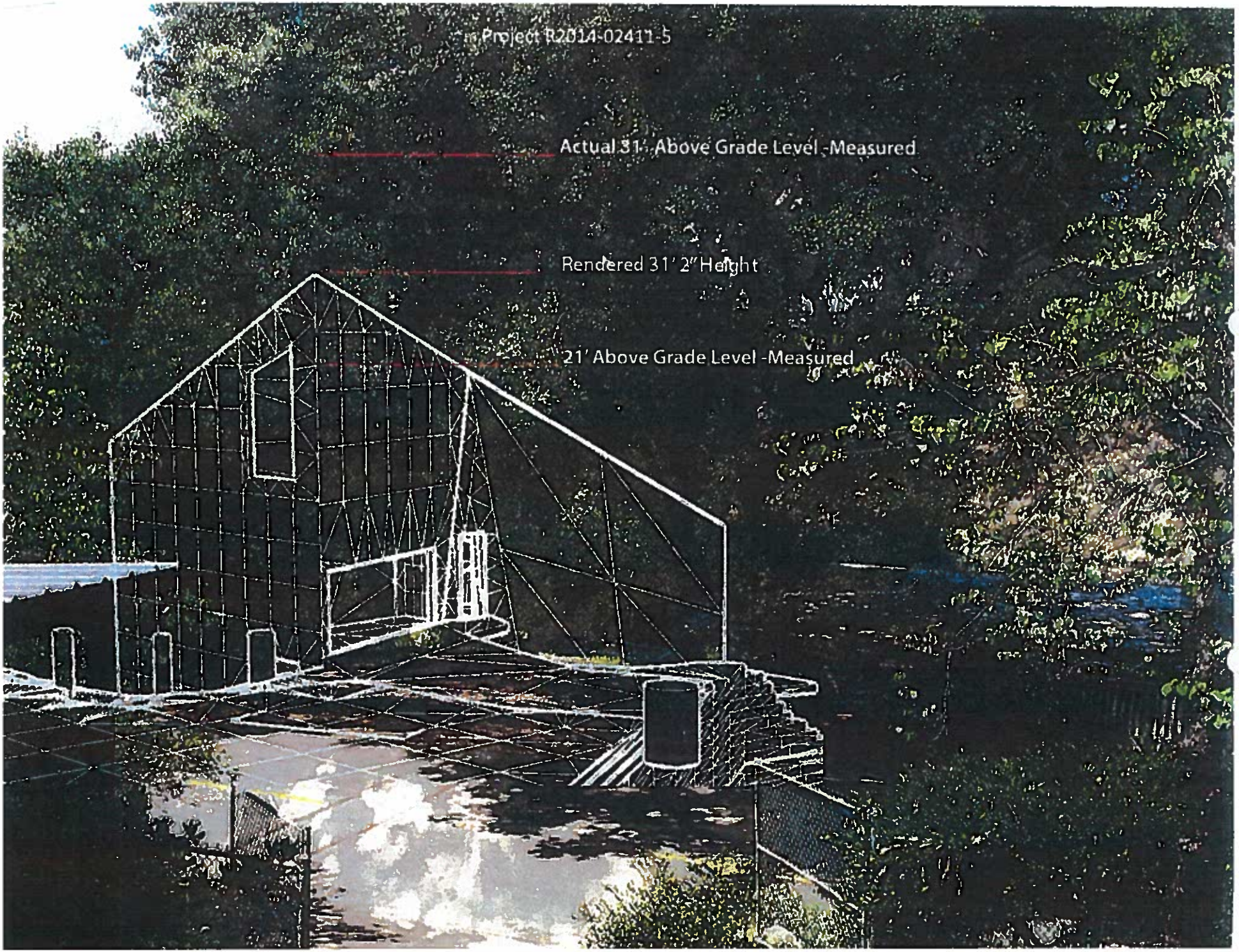
Oak Tree #4 Root Crown Mulch Depth ~ 11-12"
Located at Eastern Edge of Fill Pad

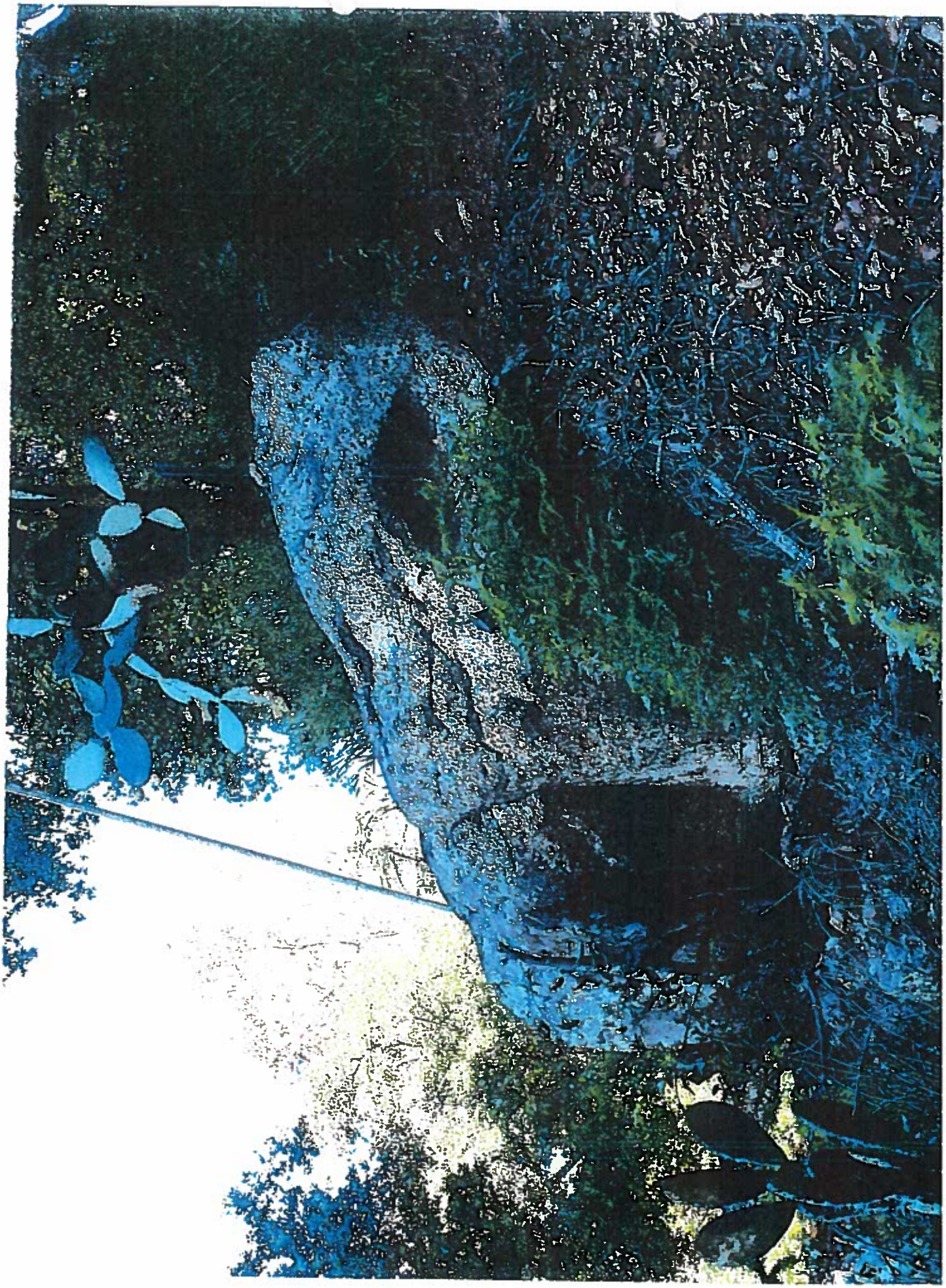
Exhibit 5

~ 58" x 58" x 140" Granite Boulder Balanced on 45° Slope

The white pole at left indicates estimated location of NW corner of proposed building




Project R2014-02411-5
Actual 31' Above Grade Level -Measured
Rendered 31' 2" Height
21' Above Grade Level -Measured



Kristina Kulczycki

From: Mary Novak [halemerry1@yahoo.com]
Sent: Friday, March 18, 2016 5:12 PM
To: Kristina Kulczycki
Cc: Gary; karen.hovanitz@sbcglobal.net; Steven and Vandana
Subject: Proposed single family home to be built on Canyon Crest Drive, Altadena

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms. Kulczycki:

We live at 3425 Florecita Drive, Altadena, in the first home south of the proposed buildi site. We have lived here almost thirty-two years. We want to register our support for the family trying to build a home on their property.

Months ago the property owners sent fliers around the neighborhood, offering to meet wit neighbors to explain what they planned to do with their property. Their architect was ther also. I went (many neighbors did not) and was relieved and pleasantly surprised to see how carefully they planned to fit their home into the site and how sensitive they tried to be the environment, to their neighbors' concerns, and to the canyon that we all love. It is a modest home, beautifully designed, and it fits well into the canyon and our eclectic Altad neighborhood.

Claims have been circulated that "developers" were going to destroy Millard Canyon and tha construction would block access to the meadows. None of this is true. Some people don't wa anything built on the site, but that is not fair. The prospective builders purchased the la in good faith. They have addressed all areas of concern, been completely transparent, and even set aside a parking space on their property for their neighbor to the north, who has parked on their land for some time.

They should be treated fairly and allowed to build their home.

Sincerely,
Mary and Gary Novak

ALTADENA TOWN COUNCIL

Serving the community since 1975
www.altadenatowncouncil.org
730 East Altadena Drive • Altadena, California 91001

Mr. Richard Bruckner
Planning Director
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

March 17, 2016

Re: Project Number: R2014-02411
Location: Canyon Crest New Residence

Dear Mr. Bruckner,

The Altadena Town Council (ATC) resolved, at its March 15, 2016 meeting, to recommend the **APPROVAL** of the above mentioned project, **with the requested condition.** The Council provided three separate opportunities for public comment and made door to door contact with the immediate residents. Only one resident was in favor of the project. It is important to note that a very large number of residents either spoke or emailed the Council in opposition to the project because of a concern about loss of light and air space, visual design of the building, impact on wild life/environment and impact on drainage. Regional Planning is in possession of those communications.

Many of the residents were also concerned that Canyon Crest, as a single ingress and egress access to the area, will be blocked for long periods of time and affect their ability to exit the area in an emergency. The Council is requesting that a condition be added to mitigate this issue.

The requested condition is as follows:

- Staging of the construction and parking of construction vehicles be restricted to the property

The ACT is aware that the applicant has met or exceeded all requirements/actions requested of them by Regional Planning. This is the basis for the ATC request for approval of the project.

Thank you for your attention to this project.

Sincerely,

Diane Marcussen
Altadena Town Council

cc: Ms. Sussy Nemer, Senior Deputy to Supervisor Antonovich

Kristina Kulczycki

From: Rebecca Latta Consulting [rlattaconsulting@gmail.com]
Sent: Thursday, March 17, 2016 4:46 PM
To: Kristina Kulczycki
Subject: Independent review of Canyon Crest Drive Project
Attachments: 2016 03 17 Independent Arborist Review sm.pdf; ATT00001.htm

Hi Kristina,

Please feel free to contact me with any questions. I have a higher resolution report if you need it - it can be d boxed to you.

Best,

Rebecca Latta
Owner, Rebecca Latta Consulting
Arboriculture, Horticulture, Landscape Water Management
rlattaconsulting@gmail.com
www.rebeccalattaconsulting.com
626 272.8444 cell.

Rebecca Latta Arboricultural Consulting

359 North Westridge Avenue, Glendora, CA 91741 (626) 272-8444
rlattaconsulting@gmail.com Certified Arborist #WE4264A

March 17, 2016

Kristina Kulczycki
Senior Regional Planning Assistant
LA County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Independent Arborist Review of Oak Tree Report for APN 5830 003 016 –Canyon Crest Road, Altadena.

Report e-mailed to Kristina at kkulcczycki@planning.lacounty.gov and John at johnthearborist@gmail.com

Dear Kristina,

As requested by the neighbor, I have reviewed the oak tree report by Scott McAllaster of Land Design Consultants dated August 2, 2014. I also reviewed the letter from Jay Lopez dated December 3, 2014. I was surprised that the report did not include all the oak trees on the site and failed to mention that it crosses a stream with Riparian oak woodland habitat. Additionally, I think it is important to note that at some point in the recent past, the flat pad by the road was enlarged by dumping fill soil on the protected zones of at least 4-5 oak trees to a depth of at least one foot. Two trees are buried three feet deep where the natural slope drops. This fill soil can compromise the health of the trees.

Quick Summary:

- The property contains a significant ecological area and ***can be defined as an oak woodland.*** A Riparian woodland exists at the bottom of the canyon on the parcel. There are also important natural rock features impacted by the project.
    - Species on the property include canyon live oak, bay laurel, big leaf maple, elderberry, alder, black walnut and several willow species. The adjacent lot has sycamore and scrub oak.
- ***Fill soil laid down in the recent past should be removed on the flat pad by the oak trees.*** The actual size of the flat pad not covering tree roots may be much smaller than it is now. Even a small amount of fill soil can contribute to root death and tree decline.
- The impacts of the project are much greater than represented in the arborist report prepared by Land Design Consultants. The report does not quantify impacts, only discusses distances from tree trunks. ***I estimate 3-4 trees or more may need to be removed to construct the proposed project.***
- ***Impacts to adjacent trees are not considered.***

Here are my detailed findings from the review:

Missing from the Arborist report from Land Design Consultants:

1. Impact analysis for tree #10. The arborist report from LDC says that there will be no impact to tree #10, However, the trunk is within 15 feet of the foundation pilings and adjacent to a large boulder that may need to be removed.
2. Sewer line and water line construction impacts are not mentioned in the oak tree report. ***Additional impacts to tree #1, 2, 3, 4, 5, 6 and 8 may be significant.***
3. Any quantification of impacts from the retaining wall, fill soil (15 cu yards of cut and 15 cu yards of fill) and pile drilling activities.
    a. Minimum piling size of 24 inches is mentioned. I would think the maximum potential size would be more relevant. Do the holes have to be shored? How much bigger does that make the holes? Where will the spoils from the holes be placed?
    b. The flat pad is completely covered by oak tree canopy. How will a crane fit into the space and drill pilings without damaging the trees? Dump trucks will not have adequate vertical clearance; the canopy overhangs low over the pad.
    c. Where will materials be stored where they are not within the protected zone of any oak trees?
    d. There is a drainage channel that appears to run under the proposed house. If the drainage is altered, how will that impact the oak trees?
    e. The percentage of root zone and canopy impacts are not mentioned. The arborist specifies a distance to impacts, but does not discuss the relevance of the impact to tree health. Only that they might occur. How does the arborist determine whether the impacts are great enough to recommend removal of the protected trees?
    f. The height of the structure is 31 feet, but the trees are much lower than 33 feet. How does the building fit into the slope under the trees? **I believe that the applicant should be required to put up story poles to demonstrate the actual footprint of the structure and how it interfaces with the trees.**
    g. **There is no mention of the required 5 feet of clearance required by the fire department for the structure.**
4. The report does not address any impacts to the heritage sized oak tree on adjacent property to the south and additional tree over protected size on their property. Although there are no heritage size trees around the building site, there are some within 200 feet of the project.
5. There is no mention of the existing fill soil that is suffocating the roots of the trees near the flat pad area. Even 2 inches of fill soil can suffocate roots and cause root decay.
6. The site is located over a significant ecological area. There is a blue-line stream at the bottom of the canyon in the center of the property. This is not addressed in the oak tree report. How will the project prevent sediment and debris from going down the hill? There are multiple oaks and other trees directly below the building site that are not addressed in

the oak tree report. They could be directly impacted by a change in hydrology or drainage. Also the slope is full of large boulders that may require removal to construct the proposed pilings.

Photo from the bottom of the canyon on the adjacent property – directly downslope of the project.

7. The property would qualify as oak woodland based on the definition in the Oak Woodlands Conservation Management Plan Guide from LA County Planning dated March 18, 2014. I estimate the coverage of oak woodland on the property to be greater than 35%. There is also a diversity of oak species (3 species) on the property.

    a. If the site contains an oak woodland, then the staff biologist and Forester should make a determination about whether the project could significantly impact the oak woodland.

    b. A plan should be developed with oak trees and woodland depicted and labeled. None exists at this time.

8. How much notching is a slight notching for the driveway? The depth needs to be quantified.
9. If the driveway gets laid over the existing grade without removing soil, how will it not be several inches above grade? Vapor permeable driveways can still cause root damage and compaction unless carefully designed. What percentage of the root zones will be impacted by the driveway?

In my opinion, at least 3-4 trees will have to be removed to construct the project and several more will sustain significant impacts that could shorten their lifespans. The report lacks sufficient detail to determine the extent of certain project related impacts to the trees.

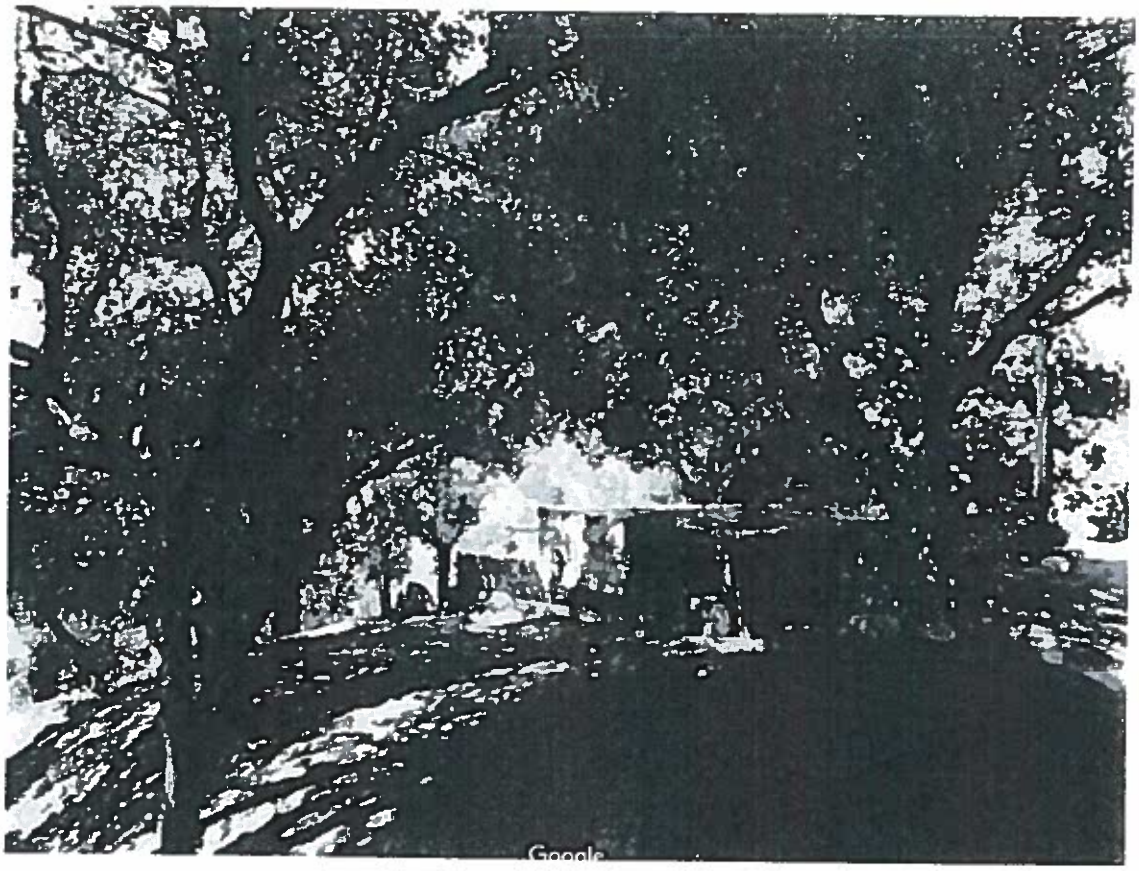
More importantly, this property is part of the visual corridor of native oak trees that lead to the Meadows. The trees are part of the visual character that gives the neighborhood a semi-rural fee. I also believe oak woodland habitat in Southern California is rapidly disappearing due to drought and development and healthy trees should be preserved.

Please let me know if you have any questions.

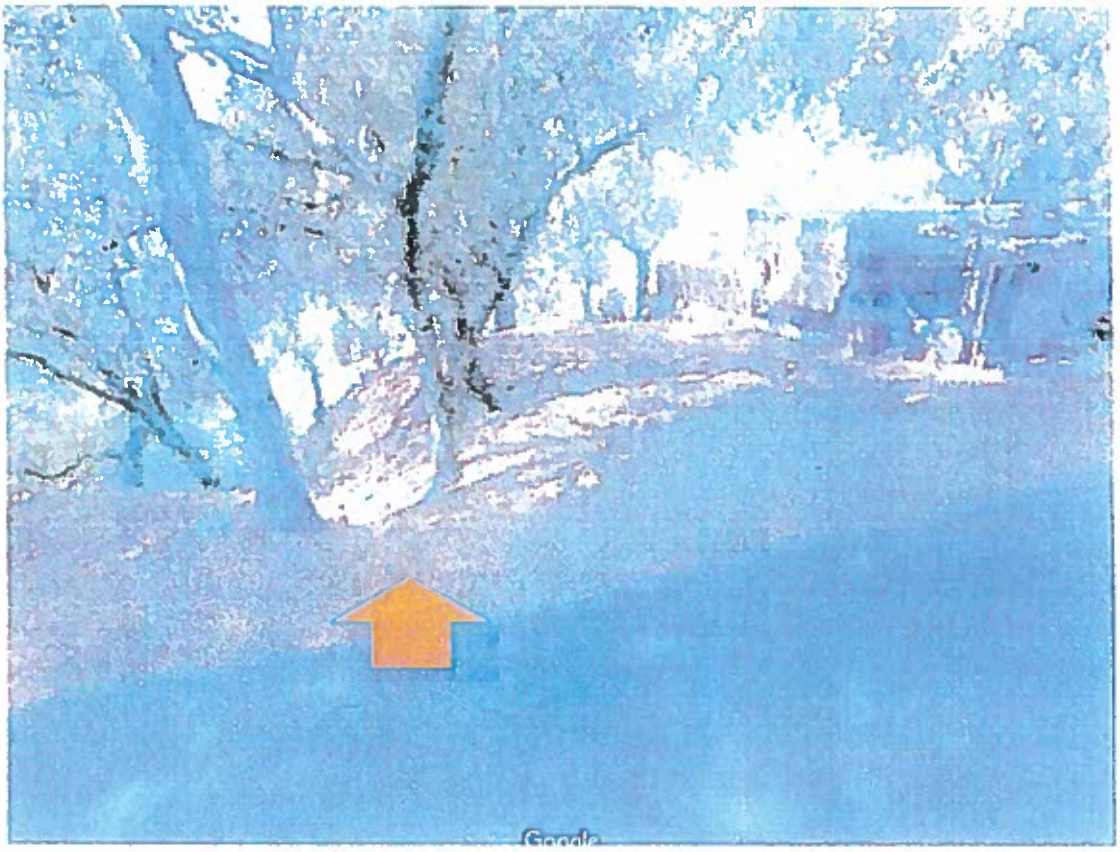
Sincerely,

Rebecca Latta

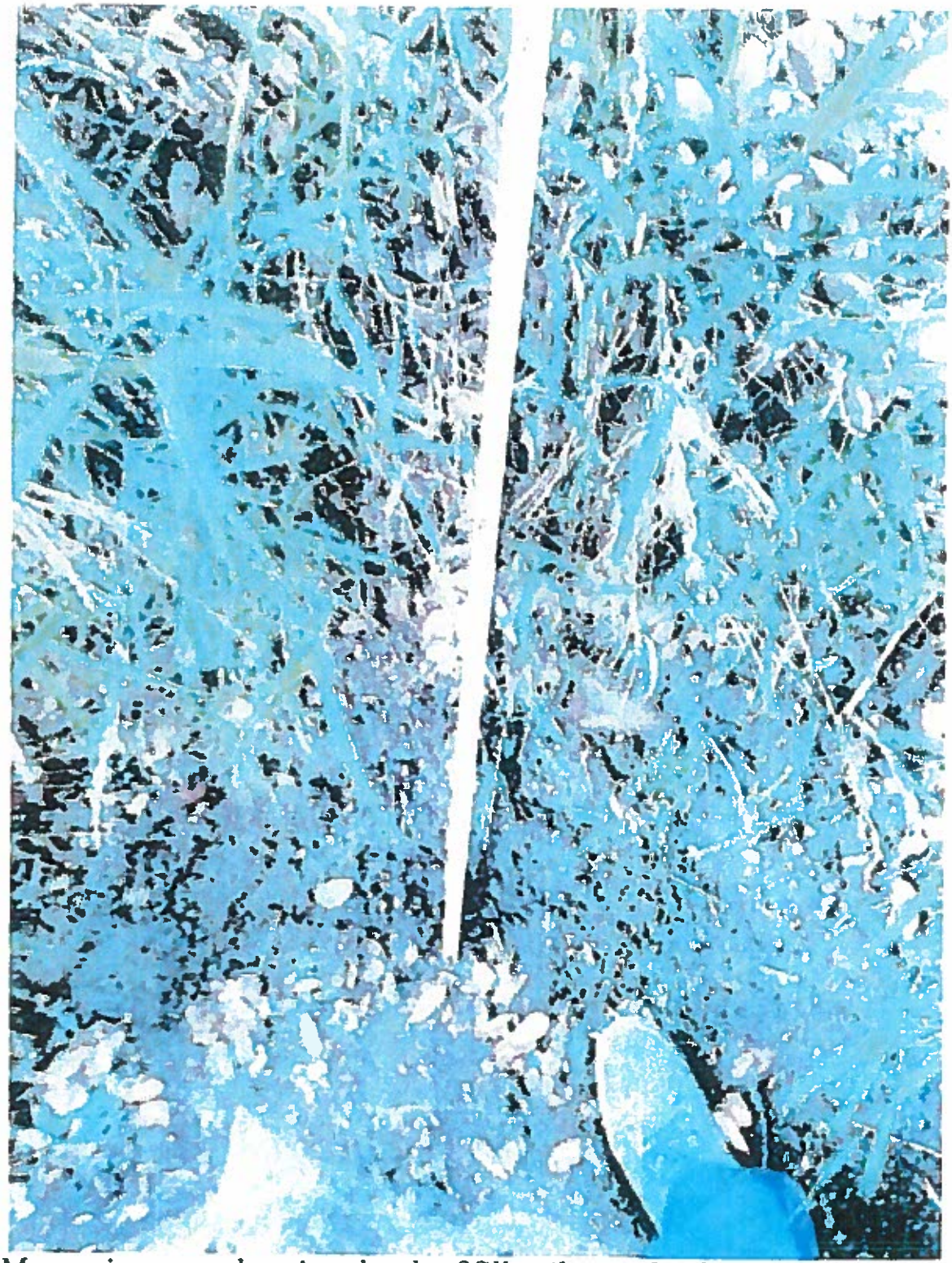
Rebecca Latta
Consulting Arborist, Horticulturalist
626 272-8444 cell
rlattaconsulting@gmail.com
ISA Certified Arborist WE4264A
Certified Tree Risk Assessor #1217
Member, American Society of Consulting Arborists



Canopy covered flat pad where construction activity will occur



Drainage that leads to blue-line stream. Applicant plans to build house on top of drainage.



Measuring tape showing depth of fill soil on oak adjacent to flat pad.

Photo from the flat pad looking south toward the proposed building site.

Photo looking west from the flat pad

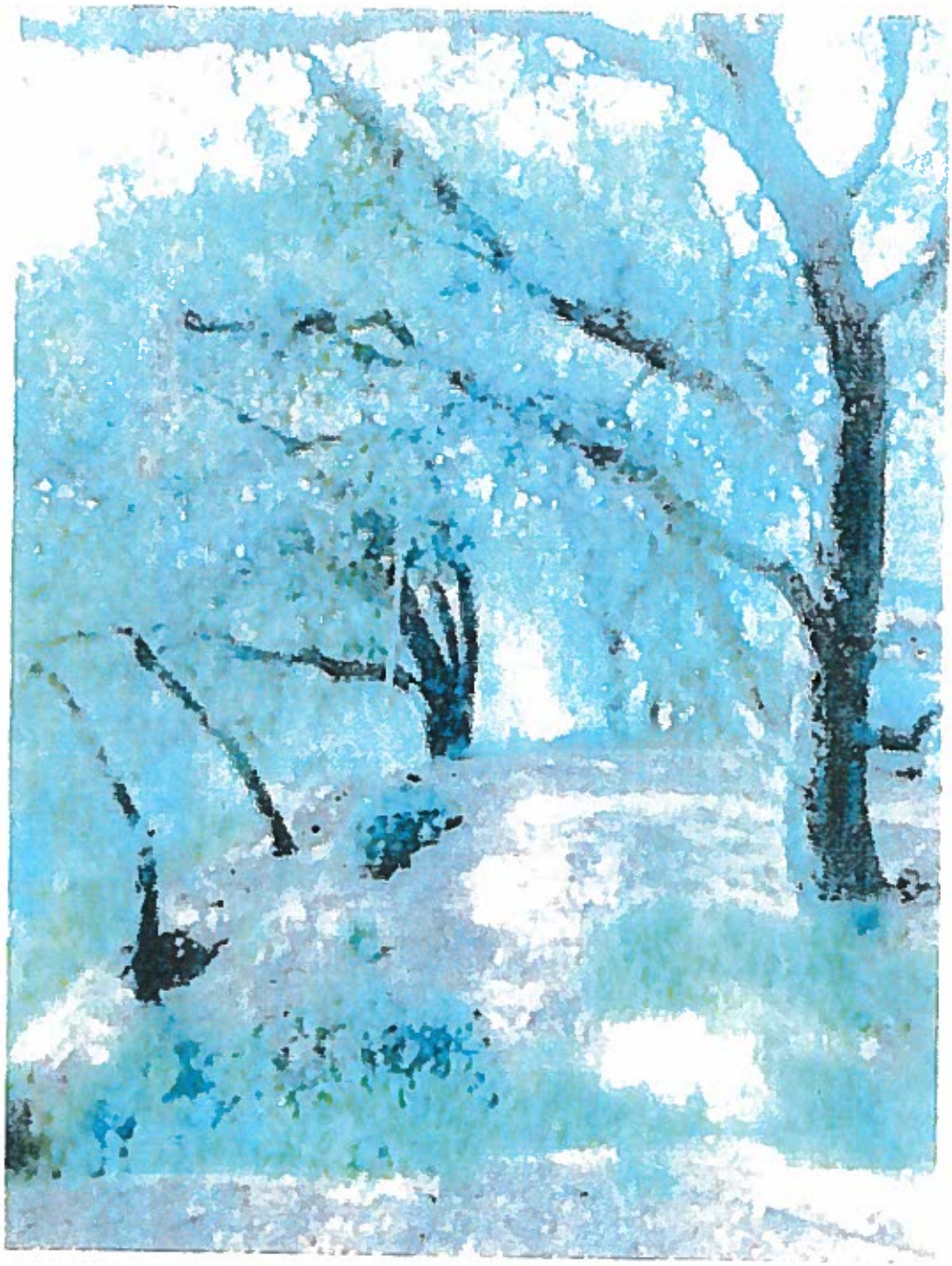
Photo looking east from the flat pad toward the street and the drainage

Fill soil on root zone

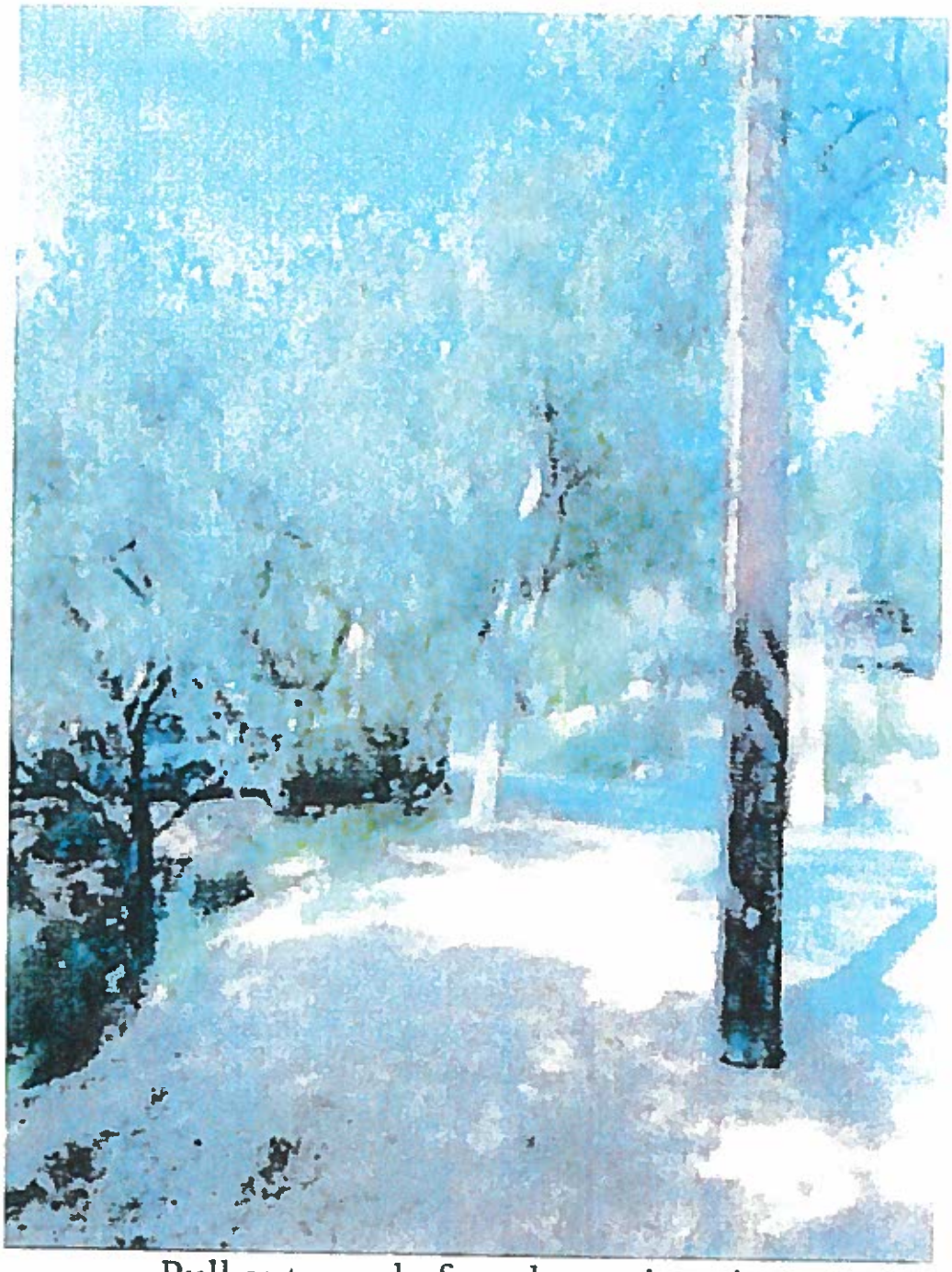
Large granite boulder that may need to be removed under the building site

Granite rocks that may need to be removed

Drainage channel leading to canyon



Looking to the Northwest toward the project site.



Pull out area before the project site

Fill soil

Steep slope where house is proposed

Large oak tree adjacent to proposed construction

Kristina Kulczycki

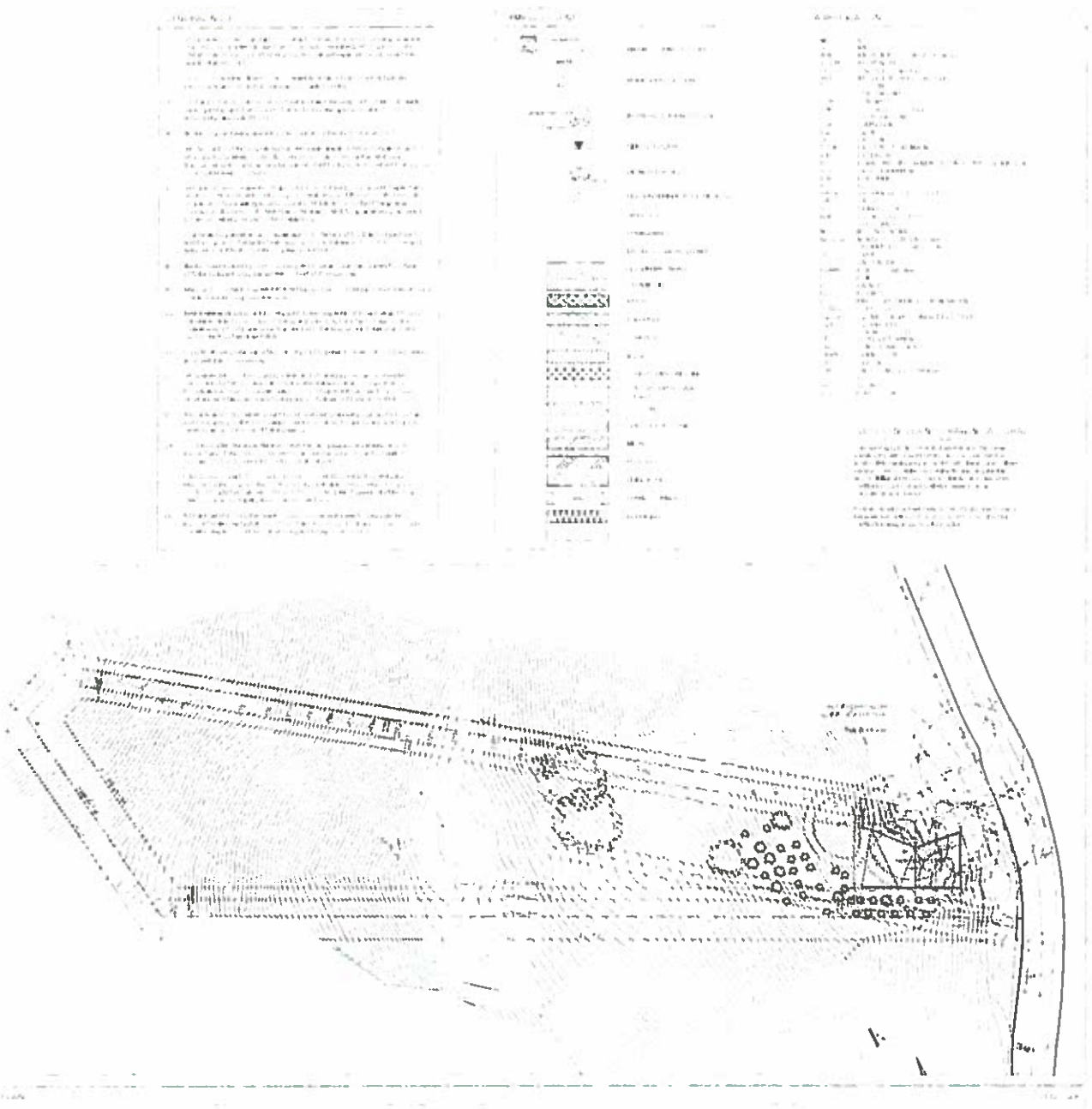
From: Stephen Kuhn [kuhn.s.r@gmail.com]
Sent: Thursday, March 17, 2016 4:17 PM
To: Kristina Kulczycki
Subject: Minor update to A.0
Attachments: A0.0_GeneralNotes_AD.pdf; A2.0_FloorPlans_AD.pdf; A2.1_FloorPlans_AD.pdf

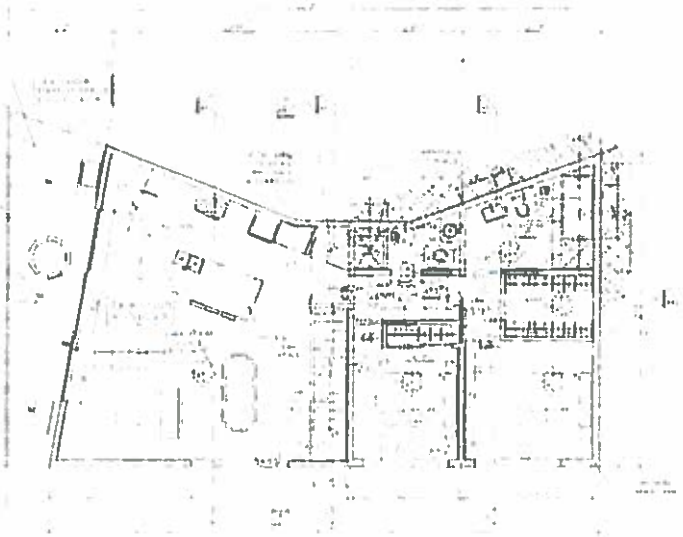
Follow Up Flag: Follow up
Flag Status: Completed

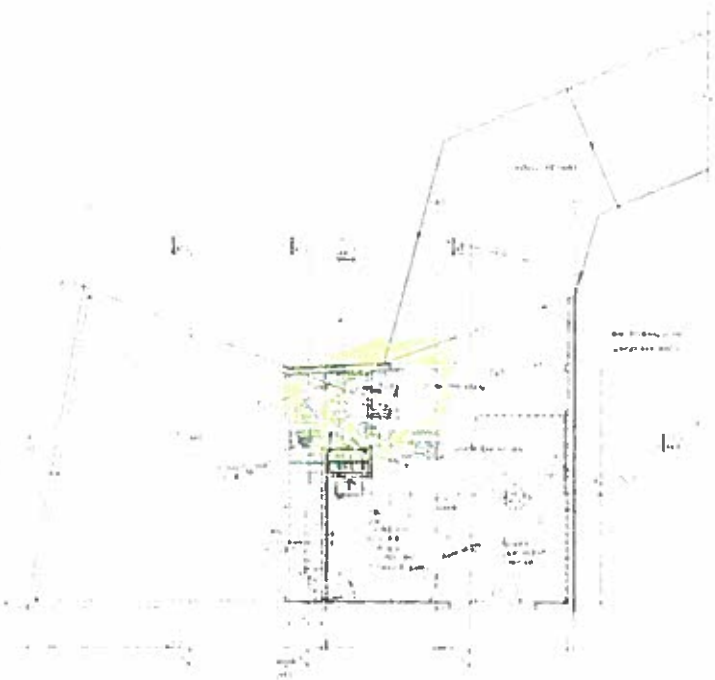
As requested, the attached makes the minor update to the maximum height above grade listed on A.0. I've als attached our latest floor plans, which do not change the footprint or square footage of the home, but which d change our entryway and reduce the extent of concrete work in the vicinity of one of the oak trees on our lot.

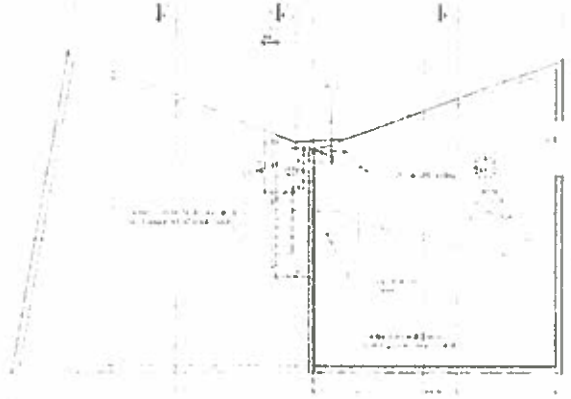
Thanks,

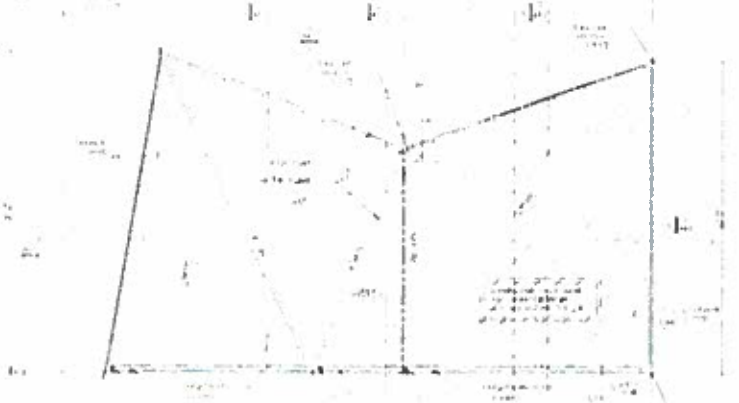
Stephen











A2.0

Kristina Kulczycki

From: Richard Walker [walkerre_2000@yahoo.com]
Sent: Wednesday, March 16, 2016 6:46 PM
To: Kristina Kulczycki
Subject: Stephen & Vandana's New Home

Hi Kristina,
My name is Richard Walker and I live at 3370 Crestford Dr. in Altadena along with my wife Ursula and our two daughters. This note is to let you know that our family is in full supp of Stephen and Vandana's project. We believe that they have taken great care to insure tha there new home is environmentally friendly and that the privacy of their neighbors is protected.
Sincerely,
Richard & Ursula Walker

Sent from my iPhone

Kristina Kulczycki

From: MaryEllen Schoeman [maryellenks@gmail.com]
Sent: Wednesday, March 16, 2016 6:19 PM
To: Kristina Kulczycki
Subject: : Project No. R2014-02411-(5) / Minor Conditional Use Permit 20140000 / Environmental Assessment 201400194 / Oak Tree Permit No. 201400035k
Attachments: arroyo toad.jpg; mountain lion.jpg; bobcat.jpg; deer.jpg; fox.jpg; mountain lion2.jpg; bear1.

In reviewing the findings for this case I find the conclusions on the Environmental Checklist form to be questionable, possibly due to the limited time and depth of the study upon which they were based. As a wild rescuer with a long history in the area and a current graduate student in Conservation Biology, I am concern that some key issues may have been overlooked in this review.

I find the following decisions questionable:

Section 2.d)

California Public Resources Code section 12220(g) defines forest land as
"land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for managem one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits."

This lot does contain more than 10% native tree cover, and is an important reservoir of fish, wildlife, and biodiversity.

Number 4 (a) "Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensit or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. F and Wildlife Service (USFWS)?"

The proposed development is inhabited by the endangered Arroyo Toad, and is the home range of mountain lion, which are protected as a spec species under California law. Photos of these animals, taken in the area, are attached. (The photo labeled "mountain lion 2" was taken only a sh distance up the street from the proposed development.) I am told that the site survey found no evidence of protected or endangered animals. I suggest that if endangered animals could be located in a single site visit, they would most likely not be considered endangered.

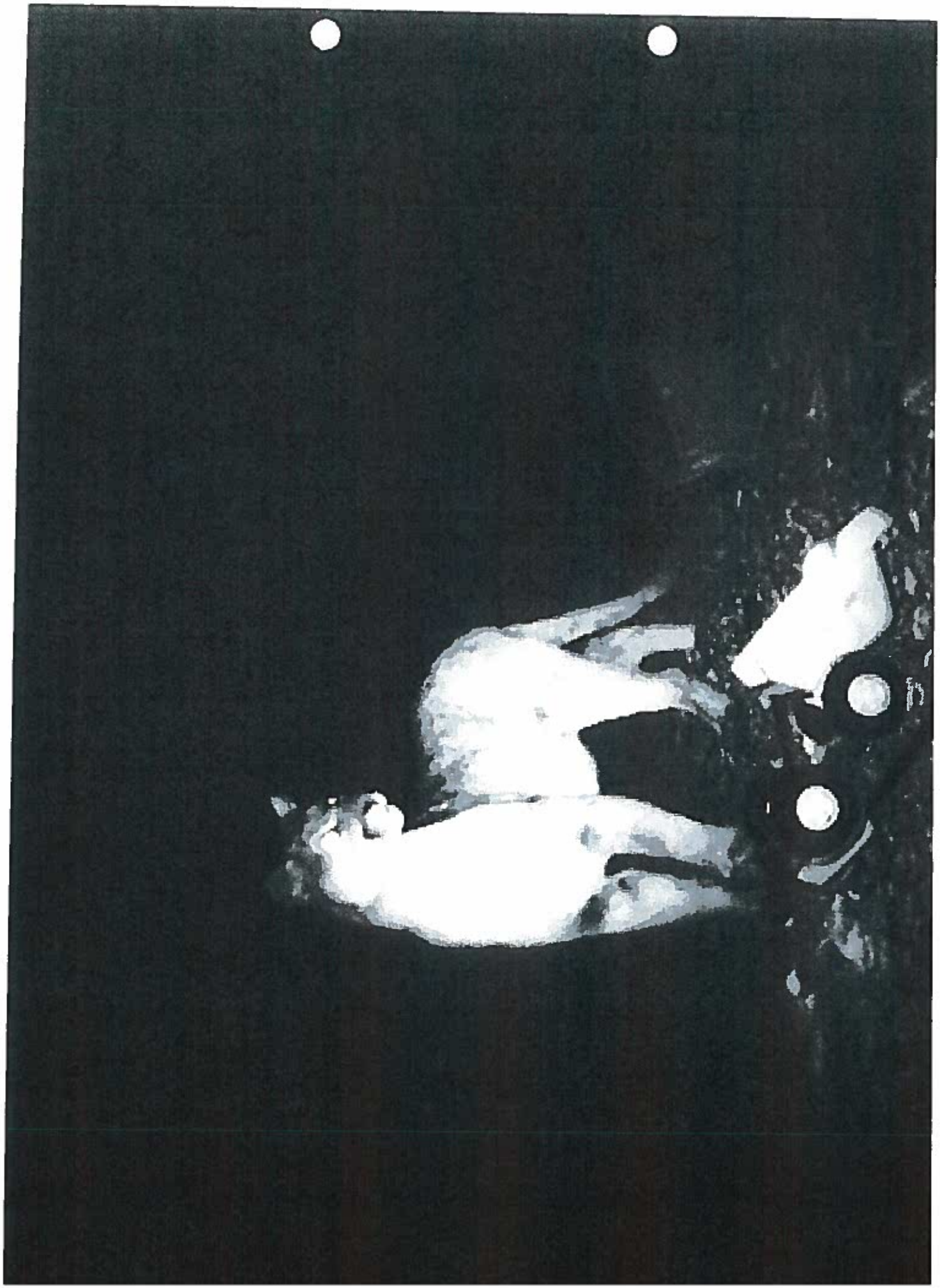
4.(b) "Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW USFWS?"

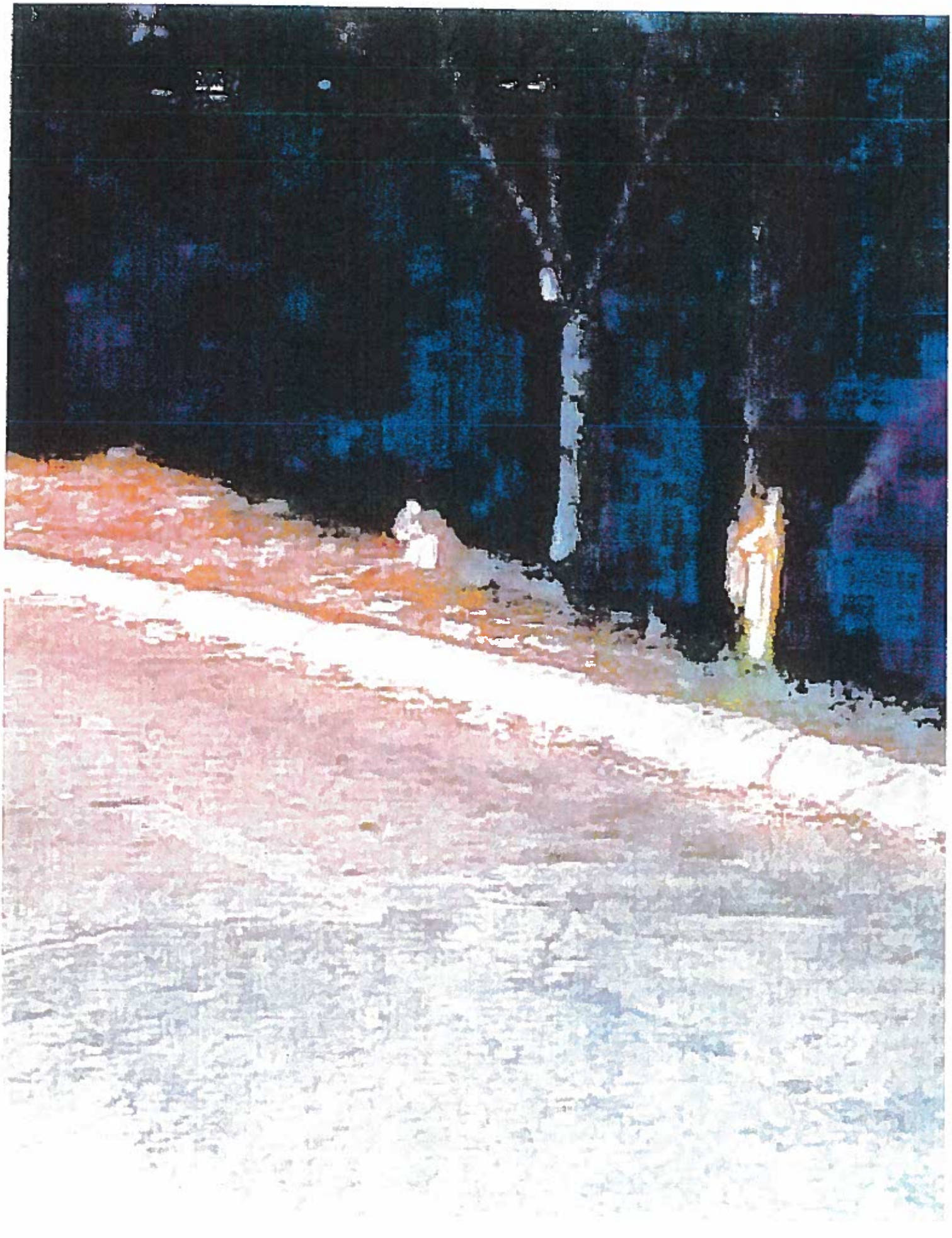
While the proposed development is not in a designated natural corridor, it is and has been in extensive use by native wildlife for many years. The species found in the area (photos attached) include mountain lions, bears, foxes, bobcats, deer, and a host of smaller native mammals such as opossums, raccoons, skunks, and three species of squirrel. Thes animals all utilize the open space as a spot to safely traverse the road, and they all to some extent depend on the oak trees. Bears, raccoons, deer and squirrels all eat acorns, and the carnivores eat the animals that eat the acorns. The photo of the bear shows something that will become all the more common as we remove open spaces and oak trees - bears getting into trash.

I believe that the impact on the oak woodland has been underestimated. While it is true that only one oak tree will be removed, the developer has stated that at least one third (33%) of the remaining oak canopy will be removed from the remaining trees. As there are around 20 mature oak trees on the lot, this is the equivalent of removing 6 mature trees from the immediate area. The importance of mature oak woodlands to our ecosystem cannot be underestimated, and t planting of two oak saplings will not mitigate the removal of such a large part of the canopy.

--
MaryEllen Schoeman
Owner, Wild Things Pet Sitting
www.wildthingspetcare.biz

We who choose to surround ourselves with lives even more temporary than our own live within a fragile circle, easily and often breached. Yet still, we would choose to live no other way. - Irving Townsend





Kristina Kulczycki

From: alex fabbro [alexfabbro@yahoo.com]
Sent: Tuesday, March 15, 2016 5:07 PM
To: Alex Fabbro
Subject: 3577 Canyon Crest / R2014-02411-(5)

Dear Councilmembers and Planners,

I am writing to let you know that I have serious reservations about the development of the property known as 3577 Canyon Crest in Altadena. While I can appreciate the property owners' excitement at the potential realization of their ne home, the design and construction plan as shown on their informational website appears problematic and triggers man concerns about short-term execution and long-term adverse impacts.

I live in The Meadows and I pass the property several times a day, either in my car or on my bike. I am actually quite surprised that the engineering required to build on that lot didn't put the owners off. The slope is astoundingly steep and there is practically no platform wider than a passenger car at road grade. Any decision-maker who has not visited the lo in person is doing themselves and the community a disservice by either recommending or not recommending this proje A site visit is critical so one can determine the challenges and drawbacks to this project as submitted.

My primary concerns that I do not feel are addressed adequately or truthfully on the project website are:

1. Sufficient staging for construction materials and equipment.

2. Disruption of vehicle flow on the only road in/out of The Meadows.

3. Destruction of oak trees.

4. Impact on the creekbed and water flow.

5. Impact on wildlife habitat disruption/destruction.

6. Destruction of viewshed.

7. Fortress-like solid 30'+ wall above grade that is not architecturally compatible with existing homes.

Again, I urge you to visit the property to see for yourselves how problematic this property is for the submitted design. Compliance with the letter of the law while ignoring the intent of the law does not make a sound project or preserve the character of the neighborhood.

Respectfully submitted,
Alexandria Fabbro

Kristina Kulczycki

From:	MaryEllen Schoeman [maryellenks@gmail.com]
Sent:	Monday, March 14, 2016 11:51 AM
To:	Kristina Kulczycki
Subject:	Re: project No. R2014-02411-(5)
Attachments:	compare2.jpg; compare3.jpg

sorry, two of the photos did not attach properly to the previous email.

On Mon, Mar 14, 2016 at 11:49 AM, MaryEllen Schoeman <maryellenks@gmail.com> wrote:
Dear Ms. Kulczycki,

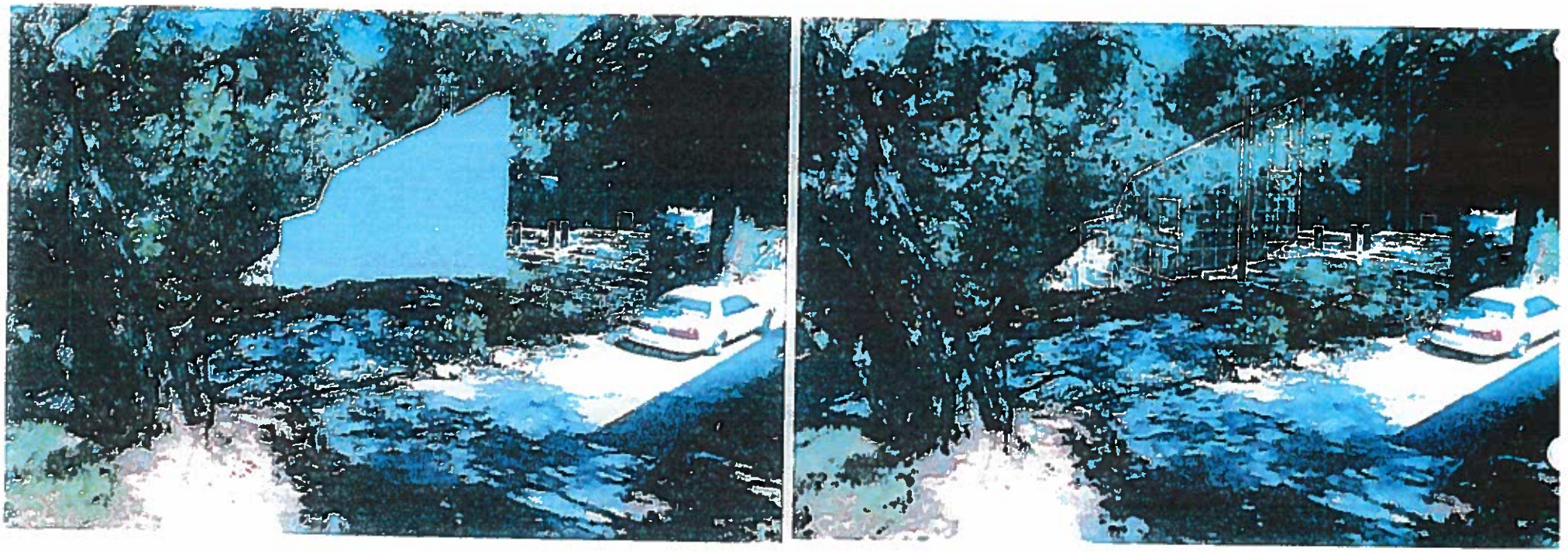
Thank you for your prompt response to my earlier email regarding project No. R2014-02411-(5).

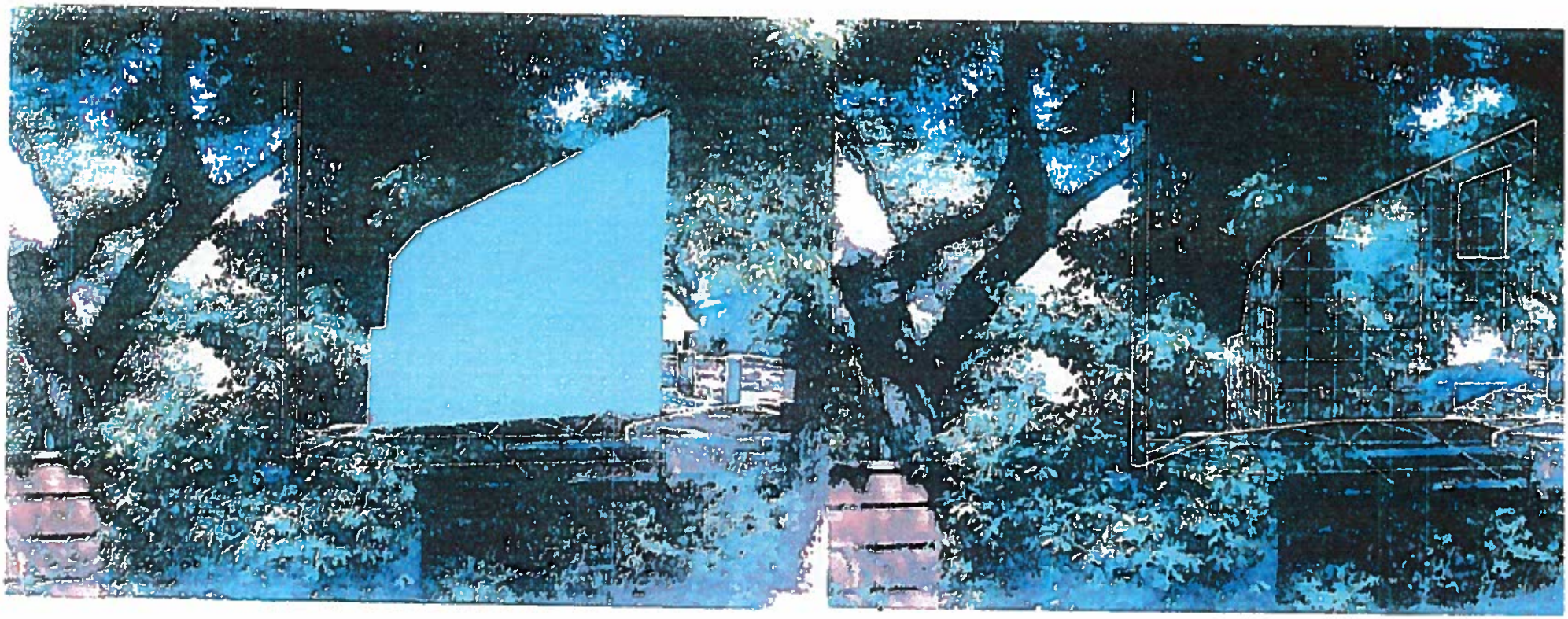
Since I sent that email to you, several other issues with the project have come to light that I would like the Department to be aware of.

The first, and most significant, is that it appears very much as if the scale of the buildings that the applicants have indicated in their application materials is incorrect. I stated earlier that the plans were misleading in that the square footage did not include the very large second story on the garage space. However, in looking at actual measurements taken onsite, and comparing them to the computer-generated image on the website and i their application, it is clear that the size of the structure itself has been scaled down for the image. To make it clearer, I have attached two photos. The first one, "balloon", shows a balloon 32' feet above ground level, which, according to the plans filed with the county, is the height of the tallest point on the garage roof. I have circled the balloon on the photo as it is somewhat hard to see. Note that the balloon is well above the level of the canopy. Also note the power lines (highlighted to make it easier to see), which are below the level of the balloon. Notice too the distinctive forked tree in the lower left part of the photo. Now compare this photo to tl computer generated rendering submitted by the applicants, which I have attached as "photo one". Note that in this rendering, the point of the garage roof is below the level of the canopy. But as the actual height, as indicated by the balloon in the preceding photo, is above the canopy. Note the placement of the power lines ir the rendering, which show the house as being below the level of the power lines. Again, the other photo show that the house is taller than the power lines. Lastly, the distinctive forked tree in the foreground appears to be roof height with the branches draped artfully over the front. As is obvious from the other photo, the garage is much taller than that tree. As a final note regarding the scale of the rendering - the cyclist at the foreground of the photo is part of the actual photo taken of the site that was used to make the rendering. Look at the size of t cyclist and look at the rendering. The cyclist is larger than the garage door. Even accounting for some variance due to perspective, the rendering is still out of scale with the actual landscape.

I have also attached three other photos. These photos are a comparison of the wire-frame rendering of the hou with a solid wall rendering. All I have done is taken the wire frame renderings and filled in where the exterior walls would be as indicated by the rendering. (note: this is still at the smaller scale of the rendering. If the scal were accurate these walls would be much bigger.) As you can see from the side by side comparisons, the structure would in fact block the views from surrounding homes. The applicants state on their website that the oak canopy already obscures the view and that their house would not obscure it further. What they do not seer to realize is that the oak canopy *is* the view. From the renderings where I have filled in the walls, you can s that the canopy is obscured by the structure.The wire frame rendering does not adequately convey the actual impact of the structure, because you can see through it to the oak trees. Walls, however, are not transparent.

There is also an issue the oak trees. The applicants state that they will be parking heavy construction vehicles a small area off the road. I have mentioned before that it is unlikely that such vehicles would fit on that space.





Kristina Kulczycki

From: MaryEllen Schoeman [maryellenks@gmail.com]
Sent: Monday, March 14, 2016 11:50 AM
To: Kristina Kulczycki
Subject: Re: project No. R2014-02411-(5)
Attachments: ballon.jpg; photo 1.jpg; compare1.png

Dear Ms. Kulczycki,

Thank you for your prompt response to my earlier email regarding project No. R2014-02411-(5).

Since I sent that email to you, several other issues with the project have come to light that I would like the Department to be aware of.

The first, and most significant, is that it appears very much as if the scale of the buildings that the applicants have indicated in their application materials is incorrect. I stated earlier that the plans were misleading in that the square footage did not include the very large second story on the garage space. However, in looking at actual measurements taken onsite, and comparing them to the computer-generated image on the website and i their application, it is clear that the size of the structure itself has been scaled down for the image. To make it clearer, I have attached two photos. The first one, "balloon", shows a balloon 32' feet above ground level, which, according to the plans filed with the county, is the height of the tallest point on the garage roof. I have circled the balloon on the photo as it is somewhat hard to see. Note that the balloon is well above the level of the canopy. Also note the power lines (highlighted to make it easier to see), which are below the level of the balloon. Notice too the distinctive forked tree in the lower left part of the photo. Now compare this photo to th computer generated rendering submitted by the applicants, which I have attached as "photo one". Note that in this rendering, the point of the garage roof is below the level of the canopy. But as the actual height, as indicated by the balloon in the preceding photo, is above the canopy. Note the placement of the power lines in the rendering, which show the house as being below the level of the power lines. Again, the other photo show that the house is taller than the power lines. Lastly, the distinctive forked tree in the foreground appears to be a roof height with the branches draped artfully over the front. As is obvious from the other photo, the garage is much taller than that tree. As a final note regarding the scale of the rendering - the cyclist at the foreground of the photo is part of the actual photo taken of the site that was used to make the rendering. Look at the size of th cyclist and look at the rendering. The cyclist is larger than the garage door. Even accounting for some variance due to perspective, the rendering is still out of scale with the actual landscape.

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There is also an issue the oak trees. The applicants state that they will be parking heavy construction vehicles o a small area off the road. I have mentioned before that it is unlikely that such vehicles would fit on that space. However, during a site visit, it was noted that the oak trees are right at the edge of that area. The vehicles woul need to park inside the protected zone around the trees (less than the required fifteen feet from the trunk). Parking vehicles on top of the oak tree root system for a year or more will kill the trees.

I apologize for sending two letters, however the issues raised above did not become apparent until I spent more time on the site itself doing measurements.

Once again, thank you for your time and efforts.

On Mon, Mar 7, 2016 at 7:14 AM, Kristina Kulczycki <kkulczycki@planning.lacounty.gov> wrote:

Thank you for your comments. They will be included in the hearing package that is available two weeks prior to the hearing.

Regards,

Kristina

Kristina Kulczycki

Senior Regional Planning Assistant

Zoning Permits North

Department of Regional Planning

http://planning.lacounty.gov

213-974-6443

From: MaryEllen Schoeman [mailto:maryellenks@gmail.com]
Sent: Sunday, March 06, 2016 3:20 PM
To: Kristina Kulczycki
Subject: project No. R2014-02411-(5)

Dear Ms. Kulczycki,

As a long term resident of Altadena, I am writing to you concerning the project number referenced above. This project is inappropriate for the area and is in direct conflict with the Altadena Community Standards and the

county hillside ordinances. The Community Standards are in place to prevent the construction of homes or developments that are unsuitable or out of scale with the surrounding properties. This proposed new structure clearly in violation of these regulations. The property owners have created a very slick, professional, and attractive website and presentation that they use to make the case that the building will be a positive addition the community. It's a convincing sales pitch, but much of the information is at the very least misleading. For example, the repeated claim that the house is 1500 square feet is untrue. A look at the plans on file with the county shows a larger construction, and the square footage does not include a huge second story "loft" on the garage. The claim that the construction will be 20 feet above grade is actually an 'average' of how tall the structure is - the highest point will be 32 feet above street level (the equivalent of a three story structure), looming over the houses on each side and blocking or partially blocking the view into the canyon from three different houses on the other side of the street. The property values of the homes nearby will be adversely impacted by this project, as well as the quality of life of the nearby residents.

In addition to the impact on the immediate neighbors, there is a significant impact on residents during the construction phase. (estimated to last at least a year) Canyon Crest Road is a very narrow, winding mountain road, and is the only access road into or out the the neighborhood. If this road is even partially blocked, emergency and fire vehicles cannot access the neighborhood. There is no way that the construction for this project will not block the street. The builders claim that the construction equipment will be contained to the property itself, but it is clear from looking at the site that is simply not possible. There is no place in which to park anything larger than a small SUV on the property. Further, even if vehicles could be parked, they cannot turned around on such a narrow road, which means that construction vehicles would have to drive to a wider spot in the road and then do a dangerous u-turn on a winding road with poor visibility. It is inevitable that traf accidents will occur from this. And should anyone in the area have a medical emergency, the time spent movi the construction vehicles out of the way to allow the ambulance through may literally be the difference betwe life and death.

While the project apparently does not require an EIR, it is important to realize that it will have a very negative effect on the delicate riverine ecology of the area. The builders are to be commended for their efforts to be as environmentally conscious as possible, the fact remains that a construction of this size, in a previously open space, will have a negative impact on the environment. The builders state that they "hope" to be able to preser two thirds of the oak canopy. I don't see how that is possible, but even if it is - we cannot afford to lose one th of the oak tree canopy in that area. Oak trees provide shelter, food, and homes for our local wildlife and are ke to maintaining a balanced ecosystem in the area. Think of it in this way - if one third of your roof is removed, causes problems. Having two thirds of a roof is not particularly useful, and having one-third of the roof missir eventually starts to cause problems in the rest of your house. So it goes with removal of the forest "roof". Wildlife displaced due to the loss of the canopy do not simply disappear. They end up moving into less appropriate places as we take away their natural homes. Squirrels move into attics; raccoons and bears with nc acorns to eat start getting into trash; bobcats and coyotes, looking for squirrels to eat, start coming into yards. All of this has a negative impact on humans and their property, so being concerned about the loss of open spac is not just a "tree hugger" concern.

I appreciate and understand that property owners have a right to build on land that they own. But I also feel ve strongly that we have things such as Community Standards and hillside ordinances for a reason. We put regulations on building in effect to prevent construction of buildings that will negatively impact the communities in which they are located. To decide that the rules simply don't apply in this case defeats the enti purpose of having any regulations on building in the first place. The proposed structure is out of scale with the neighborhood, will cause loss of property values to adjacent properties, will create a dangerous situation durin the construction phase, and disrupt the ecosystem, causing problems as local wildlife try to find new homes an food sources.

I strongly urge you, before approving this project, to at the very least come and look at the site in person. It is hard to find, as the "lot" is simply the shoulder of the road with no flat space at grade. Seeing it will make it much clearer how inappropriate it is as a site for construction on that scale.

Thank you for your time.

--

MaryEllen Schoeman

4595 Rising Hill Rd.

Altadena, CA 91001

We who choose to surround ourselves with lives even more temporary than our own live within a fragile circle, easily and often breached. Yet still, we would choose to live no other way. - Irving Townsend

--

MaryEllen Schoeman
Owner, Wild Things Pet Sitting
www.wildthingspetcare.biz

We who choose to surround ourselves with lives even more temporary than our own live within a fragile circle, easily and often breached. Yet still, we would choose to live no other way. - Irving Townsend

Ballon 32' above grade
Height of garage roof

HOTO 1

Kristina Kulczycki

From: Randy Baer [rbaer@pacbell.net]
Sent: Thursday, March 10, 2016 1:48 PM
To: Kristina Kulczycki
Subject: #201400014 - Fuel Modification Plan Question

Categories: Red Category

Dear Kristina,

It was very nice to finally meet you and Maria this morning and I appreciate your giving so much of your time to sit do and answer my questions.

I've had phone conversations with two members of the LA County Fire Department Fuel Modification Unit and was nc been able to get a truly specific answer to my fire/fuel clearance question about 3577 Canyon Crest. From what I understand though, is that there is normally a report from LA County Fire regarding both their Fuel Modification Requirements and Environmental Review analysis of any proposed development within a very high risk fire zone. Hav somehow overlooked a Fire Hazard Severity Zone report in the applicant's Burden of Proof or has the project not yet reached that level of scrutiny? That's one of the questions I wasn't able to get a direct answer to; is County Fire involv before or after building permit approval?

All my best,

Randy Baer

Kristina Kulczycki

From: lunaart@earthlink.net
Sent: Monday, March 07, 2016 2:29 PM
To: Kristina Kulczycki
Subject: RE: 3577 Canyon Crest, Altadena

Categories: Red Category

Kristina,
Thank you for adding my comments to the package, and clarifying your role. It is a bit confusing how the council works in connection with the county planning board. It is really distressing that the council would voice an opinion in direct opposition to the vast majori of the community.
thanks again,
Jane Szabo

-----Original Message-----
>From: Kristina Kulczycki <kkulczycki@planning.lacounty.gov>
>Sent: Mar 7, 2016 2:24 PM
>To: "lunaart@earthlink.net" <lunaart@earthlink.net>
>Subject: RE: 3577 Canyon Crest, Altadena
>
>Thank you for your comments. I will include the lunaart@earthlink.net email in the hearing package that will be provided to the public on our website as well as to the Hearing Office two weeks prior to the hearing date. Please note that I am not affiliated with the Altadena Town Council.
>
>Regards,
>
>Kristina
>
>
>Kristina Kulczycki
>Senior Regional Planning Assistant
>Zoning Permits North
>Department of Regional Planning
>http://planning.lacounty.gov
>213-974-6443
>
>
>
>-----Original Message-----
>From: lunaart@earthlink.net [mailto:lunaart@earthlink.net]
>Sent: Monday, March 07, 2016 2:04 PM
>To: Kristina Kulczycki
>Subject: 3577 Canyon Crest, Altadena
>
>*** please disregard previous message sent from my work email in error. The correct email address for all replies should be lunaart@earthlink.net thanks!
>
>
>

>To: Kristina Kulczycki
>
>re: 3577 Canyon Crest, Altadena
>
>
>Kristina,
>
>I am dismayed to hear that a majority of the town council voted to approve the proposed development at 3577 Canyon Crest in Altadena.
>
>I am a long time resident of the Meadows, which is accessed via only one road - Canyon Crest. I attended the town council land use meeting several months ago - as did a large contingent of people from the neighborhood. The statements and comments voiced by the neighbors were overwhelmingly opposed to the development. Does the council not hear the voice of the people? Did the council go to SEE the proposed development site? Does the council have any idea of the impact that the building will have on a daily basis - both to the neighbors whose views will be blocked - as well as to the residents of the Meadows who access in and out of the community will very likely be impeded by an extended construction project? If the council has actually seen the parcel in question, they would certainly understand that staging all construction vehicles on the landowners property is virtually impossible. Parking in the area is so limited, that adding another home creates more demand for street side visitor parking - extremely dangerous on this blind curve.
>
>The Meadows residents had ongoing problems with film crews blocking the roadway - and we organized and worked with the county to put permanent restrictions on filming on Canyon Crest, eliminating road closures and other obstructions that posed a high risk to emergency vehicle access, etc. The same consideration must be taken with regards to this development and it's inevitable impact on the roadway.
>
>The Altadena Community Standards hillside ordinance was developed to protect our hillside views and natural environment. The rights of the immediate neighbors whose views will be irreparably harmed should concern the council greatly. The people of the community care about the environment. In an attempt to push this project through, the developers have minimized the true impact of their construction plans, which include removing and severely cutting back protected oak trees, as well as rerouting a natural drainage area. This home is above a riparian stream bed and the corridor serves as access to many species which come down to the creek to drink. Construction of the proposed home eliminates this natural pathway for deer, bear, bobcats, coyotes and mountain lions.
>
>I beg the council to reconsider their decision on this development, and to honor the intentions of the hillside ordinance to protect what little natural habitat is remaining in Beautiful Altadena.
>
>
>Respectfully,
>
>Jane Szabo
>
>Altadena Meadows Resident

Kristina Kulczycki

From: lunaart@earthlink.net
Sent: Monday, March 07, 2016 2:04 PM
To: Kristina Kulczycki
Subject: 3577 Canyon Crest, Altadena

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

*** please disregard previous message sent from my work email in error. The correct email address for all replies should be lunaart@earthlink.net thanks!

To: Kristina Kulczycki

re: 3577 Canyon Crest, Altadena

Kristina,

I am dismayed to hear that a majority of the town council voted to approve the proposed development at 3577 Canyon Crest in Altadena.

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The Meadows residents had ongoing problems with film crews blocking the roadway - and we organized and worked with the county to put permanent restrictions on filming on Canyon Crest, eliminating road closures and other obstructions that posed a high risk to emergency vehicle access, etc. The same consideration must be taken with regards to this development and it's inevitable impact on the roadway.

The Altadena Community Standards hillside ordinance was developed to protect our hillside views and natural environment. The rights of the immediate neighbors whose views will be irreparably harmed should concern the council greatly. The people of the community care abo the environment. In an attempt to push this project through, the developers have minimized the true impact of their construction plans, which include removing and severely cutting ba protected oak trees, as well as rerouting a natural drainage area. This home is above a riparian stream bed and the corridor serves as access to many species which come down to th creek to drink. Construction of the proposed home eliminates this natural pathway for deer, bear, bobcats, coyotes and mountain lions.

I beg the council to reconsider tneir decision on this development, and to honor the intentions of the hillside ordinance to protect what little natural habitat is remaining in Beautiful Altadena.

Respectfully,

Jane Szabo

Altadena Meadows Resident

Kristina Kulczycki

From: MaryEllen Schoeman [maryellenks@gmail.com]
Sent: Sunday, March 06, 2016 3:20 PM
To: Kristina Kulczycki
Subject: project No. R2014-02411-(5)

Categories: Red Category

Dear Ms. Kulczycki,

As a long term resident of Altadena, I am writing to you concerning the project number referenced above. Tl project is inappropriate for the area and is in direct conflict with the Altadena Community Standards and the county hillside ordinances. The Community Standards are in place to prevent the construction of homes or developments that are unsuitable or out of scale with the surrounding properties. This proposed new structure clearly in violation of these regulations. The property owners have created a very slick, professional, and attractive website and presentation that they use to make the case that the building will be a positive addition the community. It's a convincing sales pitch, but much of the information is at the very least misleading. For example, the repeated claim that the house is 1500 square feet is untrue. A look at the plans on file with the county shows a larger construction, and the square footage does not include a huge second story "loft" on the garage. The claim that the construction will be 20 feet above grade is actually an 'average' of how tall the structure is - the highest point will be 32 feet above street level (the equivalent of a three story structure), looming over the houses on each side and blocking or partially blocking the view into the canyon from three different houses on the other side of the street. The property values of the homes nearby will be adversely impacted by this project, as well as the quality of life of the nearby residents.

In addition to the impact on the immediate neighbors, there is a significant impact on residents during the construction phase. (estimated to last at least a year) Canyon Crest Road is a very narrow, winding mountain road, and is the only access road into or out the the neighborhood. If this road is even partially blocked, emergency and fire vehicles cannot access the neighborhood. There is no way that the construction for this project will not block the street. The builders claim that the construction equipment will be contained to the property itself, but it is clear from looking at the site that is simply not possible. There is no place in which to park anything larger than a small SUV on the property. Further, even if vehicles could be parked, they cannot turned around on such a narrow road, which means that construction vehicles would have to drive to a wider spot in the road and then do a dangerous u-turn on a winding road with poor visibility. It is inevitable that traf accidents will occur from this. And should anyone in the area have a medical emergency, the time spent movi the construction vehicles out of the way to allow the ambulance through may literally be the difference betwe life and death.

While the project apparently does not require an EIR, it is important to realize that it will have a very negativ effect on the delicate riverine ecology of the area. The builders are to be commended for their efforts to be as environmentally conscious as possible, the fact remains that a construction of this size, in a previously open space, will have a negative impact on the environment. The builders state that they "hope" to be able to preser two thirds of the oak canopy. I don't see how that is possible, but even if it is - we cannot afford to lose one th of the oak tree canopy in that area. Oak trees provide shelter, food, and homes for our local wildlife and are k to maintaining a balanced ecosystem in the area. Think of it in this way - if one third of your roof is removed, causes problems. Having two thirds of a roof is not particularly useful, and having one-third of the roof missi eventually starts to cause problems in the rest of your house. So it goes with removal of the forest "roof". Wildlife displaced due to the loss of the canopy do not simply disappear. They end up moving into less appropriate places as we take away their natural homes. Squirrels move into attics; raccoons and bears with n acorns to eat start getting into trash; bobcats and coyotes, looking for squirrels to eat, start coming into yards.

All of this has a negative impact on humans and their property, so being concerned about the loss of open space is not just a "tree hugger" concern.

I appreciate and understand that property owners have a right to build on land that they own. But I also feel very strongly that we have things such as Community Standards and hillside ordinances for a reason. We put regulations on building in effect to prevent construction of buildings that will negatively impact the communities in which they are located. To decide that the rules simply don't apply in this case defeats the entire purpose of having any regulations on building in the first place. The proposed structure is out of scale with the neighborhood, will cause loss of property values to adjacent properties, will create a dangerous situation during the construction phase, and disrupt the ecosystem, causing problems as local wildlife try to find new homes and food sources.

I strongly urge you, before approving this project, to at the very least come and look at the site in person. It is hard to find, as the "lot" is simply the shoulder of the road with no flat space at grade. Seeing it will make it much clearer how inappropriate it is as a site for construction on that scale.

Thank you for your time.

--
MaryEllen Schoeman
4595 Rising Hill Rd.
Altadena, CA 91001

We who choose to surround ourselves with lives even more temporary than our own live within a fragile circle, easily and often breached. Yet still, we would choose to live no other way. - Irving Townsend

Kristina Kulczycki

From: Christina Heath [cheath93@earthlink.net]
Sent: Tuesday, March 01, 2016 5:37 PM
To: Kristina Kulczycki
Subject: Project No. R2014-02411-(5), ROAK 201400035, and RMCP 201400014

Categories: Red Category

This proposed project, removing one historic oak tree, and possibly killing 9 others to build a HUGE house that doesn't fit in with the neighboring houses, should be DENIED. The owners are not concerned with their neighbors, and are proposing to build on a very dangerous curve. Their house would tower over all the other houses in the area. These owners have not reached out to the community and seem intent on pushing this through althou it would present a driving hazard.
Thank you for listening. I live on Canyon Crest Rd and have toured the proposed site of th 4 story home (everything else is one story). Not a good fit.

Christina Heath
3407 Canyon Crest Rd.
Altadena, CA 91001
cheath93@earthlink.net

Kristina Kulczycki

From:	Amish [amish@alumni.caltech.edu]
Sent:	Tuesday, March 01, 2016 4:50 PM
To:	Kristina Kulczycki
Subject:	Permit No. R2014-02411-(5) - Safety Concerns on Canyon Crest Rd, Altadena
Categories:	Red Category

Dear Ms. Kulczycki,

I am a resident living for almost 20 years in the Altadena Meadows area that is going to be affecte during the building and construction of Permit No. R2014-02411-(5) on Canyon Crest Rd, Altadena, CA 91001. This area is one of the HIGHEST FIRE danger areas in this county. It also has one road and road out for hundreds of residents. Considering the financial and ethical ramifications for thes residents if something should go wrong I would like a closer monitoring of the potential risks.

There are two main concerns about this project:

1) Heavy construction equipment, trucks and material deliveries will choke traffic on Canyon crest and possibly block fire, paramedic and police access to the meadows neighborhood for over a year.

2) As an engineer & scientist, I worry that Canyon Crest road will be WEAKENED due to excavation seismic vibration and the build-out. I am sure LA county geotechnical department has fully analyze this issue and is cognizant of the perils.

In conclusion, if anything does go wrong, I will hold LA County departments liable to the full extent of the law especially since this project seems to require cutting mature Oak trees and excavating in forest watershed.

I can be contacted via email or phone at 626.817.3639, in case you would like to discuss this matte

Thank you for taking the time to hear my concerns.

Sincerely,

Amish Desai, Ph.D.
4149 Aralia Rd
Altadena, CA 91001

Kristina Kulczycki

From: Kara Bjornlie [karabjornlie@gmail.com]
Sent: Saturday, February 27, 2016 3:03 PM
To: Kristina Kulczycki
Subject: 3577 Canyon Crest, Altadena

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Dear Planner Kulczycki-

I am writing you to let you know of my opposition to the proposed development at 3577 Canyon Crest in Altadena

From the materials presented by the applicant and examination of the actual on-site situation. I am concerned tha the proposed structure is not compliant with the Altadena Community Standards intent and purpose.

The structure is not compatible in size/scale nor characteristics of the surrounding residences. It would block light flow of air and privacy for at least 2 adjacent residences. The house adjacent to the north rises approx. 6' from the street grade and the proposed would rise approx. 31' above the grade. This is inconsistent with size, scale and characteristics. The proposed structure is said to have no windows on the side of the building facing these neighbors, but the tall blank wall will definitely have an impact on light and the way these neighbors feel and live i their home.

The house across the street is one my husband and I looked at buying, so we know it's a pretty dark house with t oak canopy in the back yard and dense canopy along Canyon Crest. The proposed structure will block the little afternoon light they get and views out into the canyon for these homeowners. I realize this is irrelevant, but I was particular disheartened to learn that these homeowners (an older couple) work from home - he is a writer for the Smithsonian. His livelihood and quality of life will definitely be negatively impacted by the construction and eventu structure.

I am a Landscape Architect and understand the applicant's desire to live amongst the natural surroundings of the canyon but I also know how naive they are being when they think they can develop that lot without way more imp to the Oaks than they state. I also know how arborists can be swayed to write reports in their client's favor. If they develop this lot, in the end I believe they will find themselves with far fewer oaks than expected and their idyllic pl to live among the oaks will not ultimately be realized.

Working in the construction industry, I also know that the impact of construction on traffic will be far greater than t applicant claims. I am a resident of The Meadows and drive past this lot daily. It is at a very narrow part of the roa at a bend. We have only this one way to access our homes and the outside world and for emergency vehicles to access us.

I urge you and the Planning Department to require the applicant to provide traffic impact studies and more information on the massing of the proposed structure and its footprint, by way of story poles to further study the impact to the slope, watershed, protected Oak trees and existing residences before giving any further approval to the project. I think it is crucial that Regional Planning sees the proposed development in-situ because it will reveal more than what can be shown in drawings and study models.

Thank You,

Kara Bjornlie

4470 Rising Hill Rd., Altadena, CA

Kristina Kulczycki

From: Shannon Acedo [acedoace@yahoo.com]
Sent: Saturday, February 27, 2016 12:55 PM
To: Kristina Kulczycki
Subject: 3577 Canyon Crest: in favor of construction

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Hello, Kristina,

I am writing in favor of the proposed construction of a house at 3577 Canyon Crest in Altadena.
I have heard a lot of discussion between my neighbors here in the Meadows, and while I agre that ANY construction is a bother, I'm impressed with the care that Stephen and Vandana hav put into their proposal.

I've lived here in the Meadows for 22 years now and have watched my 2 kids grow up in the house we bought here so long ago. I'm well aware of the special neighborhood that we have here, and am looking forward to seeing this project continue and add to our unique surroundings.

Thank you,

Shannon Acedo
1095 Hollygrove Lane
Altadena, CA, 91001
(626)398-0772

Kristina Kulczycki

From: John Lynch [johnthearborist@aol.com]
Sent: Thursday, February 25, 2016 11:28 AM
To: Kristina Kulczycki
Subject: Project No. RS2014-(5)

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Dear Ms. Kulczycki,

I writing with questions about the notice of a public hearing I just received regarding Project No. RS2014-(5

It stated that there was a Oak tree permit filing and a intent to adopt a negative declaration.

I have read the Oak tree report and application. But,The report and application fail to mention that this prope falls under the category of a **"Oak woodland"** with more much than 10% of the property covered in Oak canopy and many other associated native species.

I also spoke to many top Arborists, biologists and Foresters at LA County Fire department of forestry. They were all in agreement that this project should be following the guidelines outlined the **Oak woodland conservation management plan** enacted by LA County several years back.

Is there a reason that this has this not happened yet or been skipped somehow?

Who determined that there is no negative impacts?
Has a biologist visited the property?

I have attached a link to the only information I could find on your website.

http: planning.lacounty.gov oakwoodlands background

Thank you for any clarification you can offer.

John Lynch
3589 Canyon crest Rd.
Altadena CA 91001

Kristina Kulczycki

From: Laura Randall [lark215@gmail.com]
Sent: Wednesday, August 05, 2015 11:06 AM
To: Kristina Kulczycki
Subject: Letter from Canyon Crest homeowners re: Project No. R2014-02411(5) / Minor CUP No. 201400014

Categories: Red Category

Kristina Kulczycki

L.A. County Department of Regional Planning

320 W. Temple Street

Los Angeles, CA 90012

RE: Project No. R2014-02411(5) / Minor CUP No. 201400014

Location: Assessor's Parcel No. 5830-003-016

Dear Ms. Kulczycki,

It's our understanding that you are soliciting feedback as it relates to the project of new home construction in the vicinity of 3582 Canyon Crest Road in Altadena, 91001.

As ten-plus-year residents of 3665 Canyon Crest, we find this proposed project questionable at best and certainly undesirable across a range of dimensions.

It's also quite puzzling to us as we were told during the diligence process of purchasing our place in the spring of 2005 that development of the rear portion of our lot, along the same canyon side of Canyon Crest, had been explored in the late 1990s and deemed prohibited by zoning authorities (beyond the point of a simple inquiry, loans were made against future construction and ultimately defaulted upon), a decision that led to the sale of the property by the then current owner. Given that our property has far more "street level" real estate, it's puzzling that this lot would be acceptable for construction when ours was denied.

Although we realize this is somewhat obvious upon inspection, it seems necessary to reiterate a few fundamental flaws with this real estate as a potential housing site:

* the high volume of traffic that flows through this road from the Meadows given the lack of an alternative entry/exit point. As we were all reminded of during the Station Fire a few years ago, the amount of housing that exists in that neighborhood with only one road in and out is baffling by a modern view of emergency planning. Adding another house along this pinch point - one located on a blind curve of all places - this is a remarkably short-sighted and potentially dangerous idea.

* As a residence with a somewhat sizeable driveway on the Canyon side, we can speak with authority on the dangers of speeding cars along this road. Our fence has been hit by numerous cars over the years. How an additional residence could be safely added to this curve is frankly difficult to understand.

* From a setting and terrain perspective, the proposed home would blend into the neighborhood as if aliens descended in the middle of the night and deposited here. Unfortunately, that would be a more elegant solution compared to what feels like a high-risk "let's get started only to run into unanticipated problems and turn a pleasant vista and canyon view for several nearby homes into a half-built eyesore for years and years to come." This outcome seems too likely -- maximizing environmental damage (and noise) in the short-term in the name of someone presumably opportunistically tries to flip a tax sale purchase of real estate. Homes in 91001 are readily available for sale. This piece of land should have just been absorbed into the county inventory when the opportunity availed itself, and I strongly suspect that if people were made aware of it's availability, funds could have been raised to do so, likely to greater financial benefit of the county. Although that ship has seemingly sailed, it would be ideal and highly desirable to not compound the situation with additional shortcomings in long-term thinking to the significant detriment of an entire immediate and extended neighborhood.

Thank you for your attention and thoughtful review to this matter.

Regards,

Laura Randall/John Kimble

3665 Canyon Crest Rd

(H) 626-798-8382

Kristina Kulczycki

From: Randy Baer [rbaer@pacbell.net]
Sent: Wednesday, August 05, 2015 8:39 AM
To: Kristina Kulczycki
Cc: 'Wendy Wilson'
Subject: Minor CUP 201400014 Opposition Letter
Attachments: CUP 201400014 Opposition Letter Baer-Wilson.docx; CUP 201400014 Opposition Letter Baer-Wilson.pdf

Categories: Red Category

Dear Ms. Kulczycki,

Attached to this email please find our formal opposition letter to the granting of a Minor CUP for project No. 201400014. For your convenience, we have provided duplicate versions of this letter, in both Adobe PDF and Micros Word Docx formats.

Will you please inform us that this email submittal satisfactorily meets all of the Department of Regional Planning requirements as a valid written opposition to this proposed project?

Sincerely,

Randall Baer and Wendy Wilson
3588 Canyon Crest Road
Altadena, CA 91001

August 5, 2015

Kristina Kulczycki
L.A. County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Project #: R2014-02411-5
Minor CUP #201400014
Assessor's Parcel # 5830-003-016

Dear Ms. Kulcycki,

We are the residents and owners of a property that is opposite the proposed development on Canyon Crest Road. We have had an opportunity to review the proposed project drawings, renderings, Oak Tree Report and Geologic Exploration and have many concerns regarding the appropriateness of the proposed structure.

Our overarching concerns are in respect to the design and massing of the proposed residence as it relates to the Altadena Development Standards for Hillside Management. Title 22, Section 22-44-127, which states, *"Intent and Purpose. The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts. The "CSD" is also established to minimize the visual and environmental impacts of development in hillside management areas."*

In the applicant's drawings, the proposed residence is described as a 2 story structure. Contrary to this description, the cross sections clearly reflect 4 distinct levels; consisting of the entry and garage level, the main living level, an office area below the main living area and a loft space above the garage that appears to have the potential to be used as living and/or office space. The grade to ridge height at the north end of the east elevation (street view) is noted to be 31'-2-1/2". This proposed height is four-times the height of the modest single story residence directly to the north. The over-scale of the massing of this proposed structure is grossly inconsistent with the homes in the direct vicinity of the proposal as well as with the aforementioned *"CSD"*.

Our residence, at 3588 Canyon Crest Road, sits approximately 14 feet above street level and the roof height of our single story home is approximately 13 feet. If the applicants project is built as proposed (with the second story loft space above the garage), the height at the NE peak will, in fact, be approximately 4 feet higher than the top of our home--even with our elevated siting. We think this design is hugely over-scaled for the neighborhood and that the NE ridge and the large descending masses on the southerly and westerly planes will significantly block our light and view of the canyon that we treasure and enjoy.

The applicant has provided architectural renderings of the proposed home and the surrounding trees which appear to be inconsistent with the conditions as represented in their cross section and elevation drawings. We strongly recommend the county verify the actual tree and canopy heights in relation to the proposed building heights. In addition, while the square footage of the livable area of the home appears modest, when the volume of the spaces are considered, the impact of this structure would be a significant visual obstruction and negatively affect many neighbors privacy, natural light and views.

We also have serious concerns regarding the impact to the stand of mature protected oak trees fronting the roadway. It would be a huge loss to the character of this natural stretch of the canyon should these trees suffer due to the extensive excavation and destructive construction work as described in the provided Geologic and Soils Engineering Exploration. The provided Oak Tree Report addresses the driveway, piles and retaining wall impacts on the protected trees but fails to take into consideration the excavation required for other items such as the *Grade Beams* or the *Footing* for the retaining wall. It is critical that these items be included in the report in order to accurately reflect the overall impact to the root zones of these protected trees. We strongly request the county to require the *Foundation Plan* be submitted by the applicant for full review and evaluation.

In addition, we would like to bring to the attention of the Department of Public Works two areas that will be affected if this project is approved.

The 18" drainage culvert that crosses under Canyon Crest Road traverses the applicant's property and currently descends Millard Canyon to the stream bed below. We request that the Department be intimately involved in any proposed modifications to this drainage flow and the possible impact any diversion would have on the surrounding neighboring properties as well as to Canyon Crest Road.

There is a major sewage line that serves the 250+ homes located in The Meadows that either crosses this property or comes very close to it. The applicants design drawings only show this as an unrecorded sewer siphon easement. Public Works should be aware of this line and be involved in ensuring its protection should any construction ever be approved for this or the adjacent property.

Based on these stated concerns, we are **opposed** to the granting of a Minor CUP for the applicant.

We wish to extend our appreciation to the County of Los Angeles staff for your thorough consideration regarding the complexities of this project. We look to all the County agencies involved to assure the protection of our precious natural habitat, wildlife corridors, protected trees and unique character of the Canyon Crest neighborhood.

Sincerely,

Randall Baer and Wendy Wilson

3588 Canyon Crest Road
Altadena, CA 91001
Assessor's Parcel: 5830-008-006

Kristina Kulczycki

From: johnthearborist@aol.com
Sent: Wednesday, August 05, 2015 6:57 AM
To: Kristina Kulczycki
Subject: Opposition to Application for a Minor CUP for 4381 Canyon Crest Road
Attachments: Letter to Ms. Kulczycki 8-5-15.docx

Categories: Red Category

Ms. Kulczycki,

Attached please find our opposition letter to application for a minor CUP for Project No. R2014-02411-(5) #201400014, Accessor's parcel # 5830-003-016.

Thank you very much for your attention!

John & Michiko Lynch
(818) 317-8306
johnthearborist@aol.com

August 5th 2015

Ms. Kristina Kulczycki
L.A. County Department of Regional Planning
320 W. Temple Street
Los Angeles CA 90012

RE: Application for a Minor CUP for Project No.R2014-02411-(5) #201400014
Assessor's parcel # 5830-003-016

Dear Ms. Kulczycki,

After carefully reviewing all of the information that you have provided, we as owners of the immediately adjacent property at 3589 Canyon Crest believe the application contains numerous deficiencies, false information and violations of the Los Angeles County Zoning Ordinance and /or the Altadena CSD hillside management ordinance. As such, we formally oppose the granting of a minor CUP for as proposed for the following reasons:

The steep loose hillside the applicant is proposing to build on is already eroded and appears unsafe to build on. Any additional disturbance will send sediment and large boulders down into the canyon where it could damage the sensitive riparian ecosystem or possibly injure hikers walking up the canyon. The degree of the slope appears to have been greatly underestimated on the plans and on the application and needs to be verified by the county. The Altadena hillside management ordinance clearly states that **Development is designed so that all areas with a natural slope of 25 percent or greater remain in a natural state.** Granting this CUP will set a new precedence and encourage the development of other steep lots in the area that were previously unbuildable with traditional building techniques.

Canyon Crest Road is a narrow two lane street with no street parking and very few shoulders. It connects Lincoln Avenue on the East with a residential area of over 280 homes called the Meadows. Canyon Crest Road is the only street providing ingress and egress to this community. Canyon Crest is a known problem spot to the CHP for speeding. There have been many accidents over the years because of the many blind curves. There is very little level ground or parking around the proposed project to stage equipment, park the vehicles of contractors or those carrying materials. Blocking even one lane of Canyon Crest Road could impede access not only to residents but also to emergency responders and fire trucks in a very high fire danger area. The application is deficient because it does not address and mitigate this issue. It will be necessary for the applicant to identify a staging area for the construction workers vehicles and for deliveries to the site.

The ultra-modern design of the structure does not at all fit in with the feel or look of the neighborhood. The newest homes on the street were built in the early to mid-century style. There are no other four story homes in the area and none that rise to such a height on the canyon side of the street. I do not believe there are any other examples in all of Altadena that are built in the "Hollywood hills" style of architecture and therefore it does not conform to the

Altadena CSD that clearly states **the intent and Purpose of The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts. The CSD is also established to minimize the visual and environmental impacts of development in hillside management areas.** Contrary to what is stated on the application, the proposed structure will block Canyon views from the street and many of our neighbors' homes. The views of the canyon and trees are the primary factor that drives property values in our neighborhood. The structure will also clearly be visible from many of our back yards where we all currently enjoy unobstructed panoramic views and complete privacy. The proposed structure will not only block views from both our patio and inside our home. But, the applicant will also be able to look directly into our home from their proposed balcony.

In addition to the removal of one mature oak and many rare fruit trees, the construction of the proposed project will severely impact and likely kill at least three additional mature Oaks trees that are already stressed from years of drought. Encroachments into the protected zone of Oak # 4 # 5and #7 far exceed industry standards. The radical pruning and the removal of major limbs and roots necessary to accommodate a 30' plus high structure and an additional 10 feet of clearance around the structures required by the Insurance industry far exceeds current ANSI pruning standards. Removing over 30% of their live canopy will further stress the Oaks and ruin their natural form forever. These Oaks are the main reason we purchased our home and they give our neighborhood its distinct character. They also provide valuable shade, wildlife habitat and increase the surrounding property values. The applicant has repeatedly stated that they have gone to great expense to preserve the canopies of the Oaks. However as a tree care professional with over 20 years of experience, I do not believe that the applicant has clearly represented the severity of the encroachments into tree canopies and root zones in the plans or renderings he has provided to the county and our neighbors. The application is deficient because it does not identify and mitigate this issue.

There are multiple known prescriptive easements across this lot including an aging public sewer pipe that services the Meadows. This pipe is a known problem spot to Public works. It has overflowed into the creek on several occasions and might be in need of upgrading at some point in the near future. If this pipe is damaged somehow during construction or access to it is blocked for its repair there could have a major environmental disaster. The application is deficient because it does not mitigate the damages that development of the property could cause.

A culvert that drains Canyon Crest's runoff is located right in the middle of the lot and has cut a deep drainage right where the applicant is proposing to build the foundation of their structure. If this watercourse is somehow diverted away from the foundation it could further erode the adjacent owner's hillside which consists only of loose fill. The application does not address and resolve the issue that the proposed building improvements will cause high volumes of water to drain onto adjacent properties during a rain storm.

The only flat area on the proposed site consists of fill that was originally dumped during the construction of our home sometime before 1949. This area was not included in the soils report and might be unstable. Contrary to statements made in the application, the flat area has been in continuous use for storage and off street parking by the occupants of our home and their/our guests for over 65 years which has created a prescriptive easement. The applicant mentions "occasional" use of this area by our property when in fact it is daily. There is nowhere else for us to park because there is no shoulder on Canyon Crest and because overnight parking is not permitted in excess of 72 hours. The application is deficient because it does not accurately describe the historical use and mitigate the impact to that use that would be caused by the proposed building. Having no where to park our vehicles during or after construction of this project will be a great burden to us and make our home difficult to rent or sell in the future.

In addition, our septic tank leach field lies directly beneath where the architects are proposing a new driveway and a sewer hookup. Cutting off or damaging our leach field would not only deprive the Oak trees of their only supplemental source of water during the drought but also would be a great burden for us to relocate as there is no other flat area on our parcel to accommodate it. It would be necessary for the applicant to mitigate this issue by connecting our house to the sewer system located under Canyon Crest Drive.

Also contrary to statements made in the application, the property of the proposed development has been well maintained for ten years at our exclusive expense. The property has been kept in compliance with all fire codes and those that are required for keeping our insurance. Rare fruit trees, Big Cone Douglas Fir and native Cypress have been cultivated and irrigated on the site of the proposed foundation. Countless invasive plants have been removed from the hillside and stream bed below. We have also had all the Oaks that are numbered professionally pruned multiple times as noted in the Oak tree report.

We have attached the links of two videos of the culvert and drainage mentioned. The videos were taken directly above and below proposed foundation site during a recent summer storm in July of 2015:

https://youtu.be/zlbsC2iOQ08 https://youtu.be/ly04ZghEDCM

Please carefully consider all of our concerns and those of our neighbors and also please verify the accuracy of all the statements made in the application before issuing a CUP for the development as proposed.

Thank you for your attention to this matter,

John and Michiko Lynch
(818) 317-8306
3589 Canyon Crest Rd.
Altadena CA. 91001
johnthearborist@aol.com

Kristina Kulczycki

From: Michael Hickman [vht@att.net]
Sent: Tuesday, August 04, 2015 6:37 PM
To: Kristina Kulczycki
Subject: R2014-02411 single-family residence on Canyon Crest Rd.

Categories: Red Category

Michael & Mindy Hickman

3617 Canyon Crest Road

Altadena, CA 91001

August 1, 2015

Kristina Kulczycki

L.A. County Department of Regional Planning

320 W. Temple Street

Los Angeles, CA 90012

RE: Project No. R2014-02411(5) / Minor CUP No. 201400014

Location: Assessor's Parcel No. 5830-003-016

Dear Ms. Kulczycki,

As long time (20 year) residents who have been active in conservation efforts in the area in conjunction with the Federal Government (National Fish and Wildlife Service) and the Foothills and Arroyos Conservancy, my wife and I are occupants and owners of a property that abuts the proposed project property. We have several objections to this project proceeding as planned.

Firstly, we contend the proposed structure is radically out of character with the surrounding neighborhood and is thereby not in compliance with the Altadena Community Standards District (CSC) and Hillside Management Area (HMA).

Specifically, the planned structure appears to be four stories high according to submitted plan elevations, which show an overall top to bottom vertical height measurement of fifty three feet; with a street level height of 31' 2.5". Currently there are no four story homes, or residences in the area with anywhere near such height overall or at street level.

The "Post Modern" design is disruptive and completely incongruous with the traditional early to mid 20th century architectural aesthetic of existing residences in the area.

We realize it is *possible* to construct the proposed structure, however, we feel it is an improper use of the property and resources in the area. We feel that no construction should be allowed because it would require radical construction techniques that are out of place and have not been previously used in the area.

Should construction be allowed, we would prefer to see a more homogenous traditional design that does not protrude thirty-two feet above street level and block the views of homes across the street; or intrude so far down into the canyon.

We feel the applicant has not accurately represented the scope and impacts of the proposed project and several elements need to be reexamined for accuracy, omissions and conflicts among various elements.

In the Burden of Proof section of the application, the applicant states the project is "sited at street level with existing development" (22.56.215.F.1.b). He neglects to mention the majority of the construction intrudes into the natural slope of the canyon significantly ***below*** any existing structures in the area and necessitates environmentally intrusive and destructive techniques to facilitate his project.

Having attended Altadena Town Council meetings when Altadena CSD and HMA were proposed and discussed, we can attest to the fact that this type of "cliffhanger" construction is exactly what these ordinances were intended to prevent.

The project, as planned, would significantly block or alter canyon views of several residences along Canyon Crest Road (3589,3588, 3566, 3556) as well as block the only remaining unobstructed canyon views currently available to all residents, visitors, hikers, riders and other passersby. This is in conflict with HMA section 22.56.215.B.8.

The manner in which the aforementioned views would be blocked is clearly evident in the submitted renderings though it is contrary to statements made by the applicant in the application that [the structure] "will not diminish any of the existing views from the street, or of any neighbor." Currently, anyone entering the area comes around a blind curve on Canyon Crest Road and is met with a beautiful, dramatic view into Millard Canyon and beyond. If the proposed project is allowed in any form, that view will be lost forever to everyone.

There are several concerns regarding the street (Canyon Crest Road) in terms of access, blockages and delays. Canyon Crest Road is a narrow, winding hillside road with very little available street parking. It is the *only* route into or out of "The Meadows" area of about 370 homes that generates hundreds of vehicle passages per

day and would be adversely disrupted by construction activities of the magnitude proposed. Such disruption could seriously inhibit ingress egress of emergency vehicles, and the free flow of traffic should an emergenc evacuation of The Meadows be necessary. Considering these issues, we feel the Los Angeles County Fire Department. Altadena Sheriffs Department and L.A. County Public Works Department should be notified ar surveyed regarding potential impacts.

Also, what is the projected duration of the proposed construction? Can it be completed in a timely manner? feel a Completion and Restoration Bond should be required to insure the community will not have to endure unreasonably long construction period, or unsightly unfinished construction for an extended period. Conside the scarcity of street parking in the area, where would construction workers and vehicles park? How would t affect current residents who depend on the limited parking to accommodate visitors? A new home squeezed this small enclave of the community would by definition decrease the availability of street parking for all current residents.

What would noise levels be? During which hours daily and on which days of the week would construction l allowed? The Soils Geology Report mentions the possible use of jackhammers. Considering noise levels are amplified in hillside/canyon areas, such activity could seriously disrupt the lives of current residents as well a the abundant wildlife in the area that use the subject property as a Habitat Linkage to the Millard Canyon Wildlife Migration Corridor.

There is a flood control culvert that collects water at the east side of Canyon Crest Road and diverts it under street to the subject property and then down the hillside into Millard Canyon. At times of heavy rain, the flow extreme, erosive and potentially destructive. It appears the flow path is directly toward the foundation of the proposed structure. We believe it would be unwise to redirect or alter this drainage that has been effectively i use for 100 years or more. Concrete mitigation measures would be unsightly and contrary to the natural character of the canyon. Any "mitigation" measures would likely divert water to an adjacent property causing new patterns of erosion and disrupting the aforementioned Wildlife Habitat Linkage area. We have not seen acknowledgement of this potentially serious problem in any of the applicant's submitted material.

The currently submitted plan features a deck in the western elevation that, if permitted, allows an unobstructe and invasive view into our back yard and pool area which would completely compromise and violate our privacy and prevent us from enjoying our property in the manner we have been accustomed to for the past twenty years.

The same balcony would allow invasive unobstructed views into our neighbors' home and patio area (3589 Canyon Crest). The proposed structure would also diminish their viewshed and thereby decrease the value of their property.

Additionally, (though the current preliminary plans do not show it) if a window were installed in the north facing loft wall, it would also allow intrusive views of our back yard and pool area. We are concerned if the project is permitted, final design construction may include such window(s).

As we are very familiar with the area, it appears upon examination of the submitted plans that the full degree slope has been grossly misrepresented in plan drawings.

Kristina Kulczycki

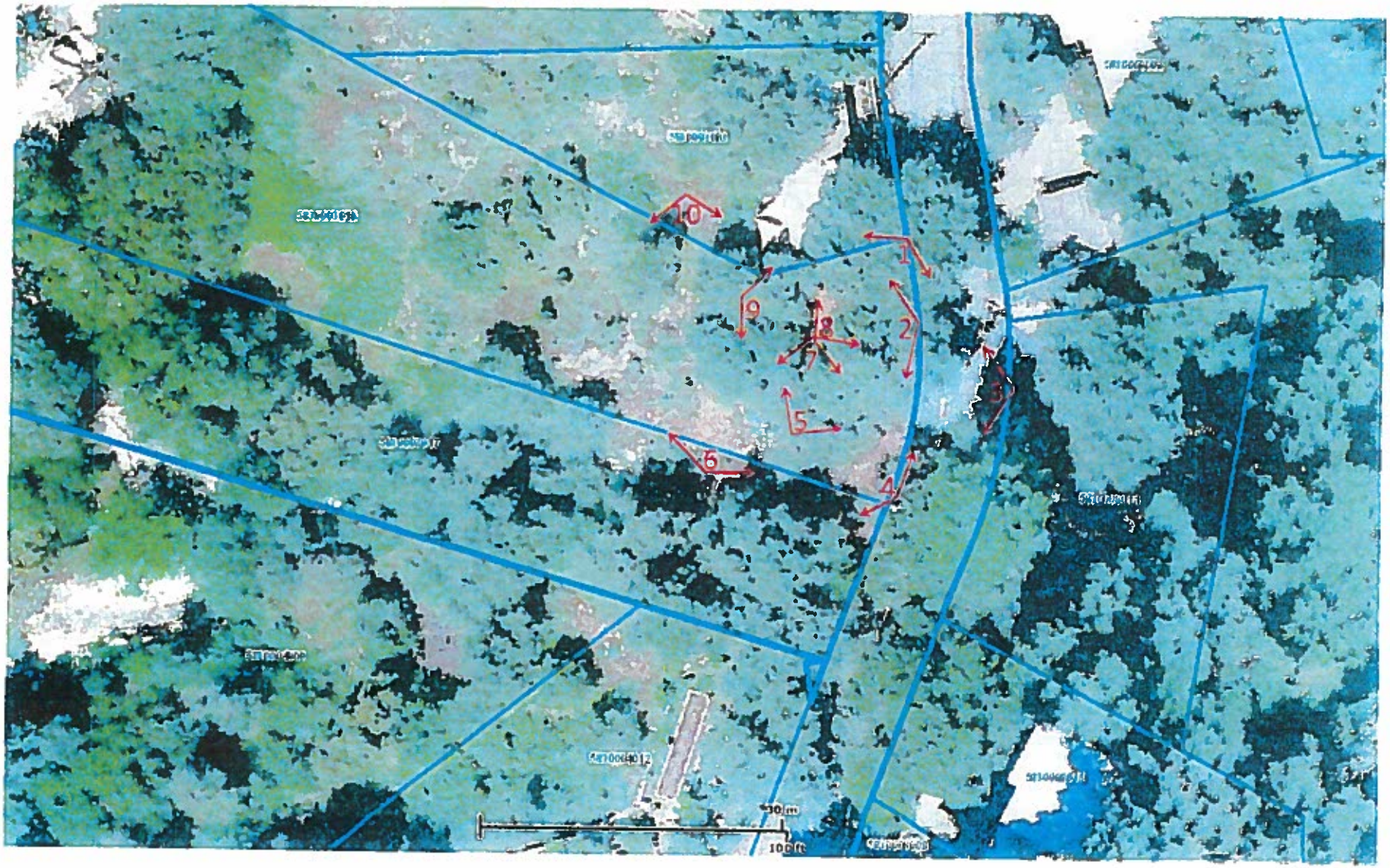
From: Andre Barnwell [andrebarnwell@sbcglobal.net]
Sent: Tuesday, August 04, 2015 2:27 PM
To: Kristina Kulczycki
Subject: Fwd: Minor Conditional Use Permit for Parcel Mo 5830-03-016

Categories: Red Category

Sent from my iPod

Begin forwarded message:

> **From:** Andre Barnwell <andrebarnwell@sbcglobal.net>
> **Date:** August 4, 2015 10:58:39 AM PDT
> **To:** "kkulczycki@planning.lacounty.gob" <kkulczycki@planning.lacounty.gob>
> **Subject: Minor Conditional Use Permit for Parcel Mo 5830-03-016**
>
> Dear Ms. Kulczycki.
>
> I'm writing in opposition to granting this permit without further clarification of the type and scope of the structure. It is my understanding that the proposed is 3 to 4 stories which conflicts with any other structure on the street. There had been a conscious effort in our community to offer a view that is shared with our architecture. Also, there is a drain system that effects how water flows of the crest and it's impact to my knowledge hasn't been clarified.
>
> For me further hearings are necessary. I'm all for homeownership and land upgrades but it has to work within the collective community. I believe this can be done when we work together, that there is a solution for these homeowners and the existing homeowners as it relates to hillside management and Altadena community standards.
>
> Thank-you for your time.
>
> Andre' Barnwell
> 16 year resident
>
> Sent from my iPod


10
1
9
8
2
7
3
5
6
4
30m
100ft

Photos 1 & 2

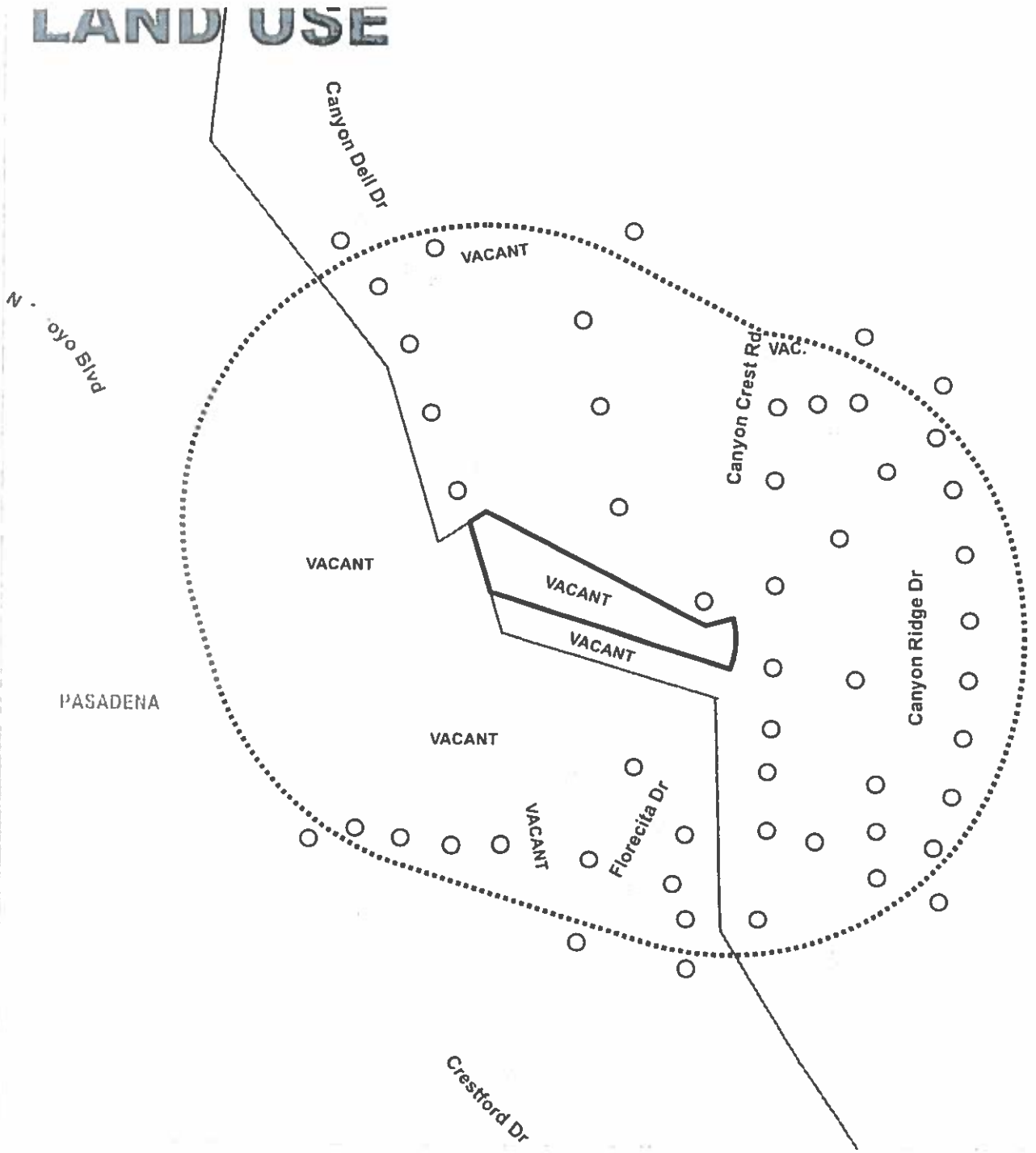
Photos 3 & 4

Photos 5 & 6

Photos 7 & 8

Photos 9 & 10

LAND USE



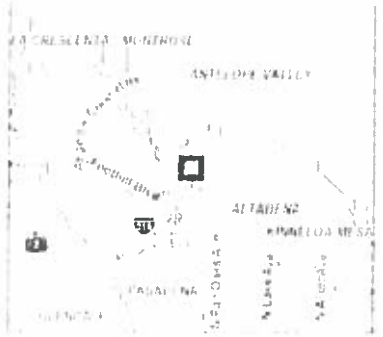
500 FOOT RADIUS MAP

Proj. R2014-02411 (5)
ROAK 2014-00035
MCP 2014-00014

Legend

- SINGLE-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE VACANT

VICINITY MAP



0 40 80 160 240 320 Feet

N

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

OAK TREE REPORT

~

APN: 5830-003-016
Canyon Crest Rd.
Altadena, CA

Prepared For

Mr. Stephen Kuhn
4381 Canyon Crest Rd.
Altadena, CA 91001
(626) 319-2778

August 2, 2014

LDC

LAND DESIGN CONSULTANTS, INC.

Land Planning, Civil Engineering, Surveying & Environmental Services

2700 East Foothill Blvd., Suite 200, Pasadena, California 91107 / 626 • 578•7000 Fax 626 • 578-7373

OAK TREE REPORT

APN: 5830-003-016
Canyon Crest Rd.
Altadena, CA

Applicant

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

Prepared By

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LDC Project No.: 13038-001

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INTRODUCTION

The following report describes the general condition and potential impacts to ten (10) ordinance-sized oak trees located on the subject property in the City of Altadena, in an area of unincorporated Los Angeles County. The subject property occupies approximately 1.02 acres of land that is located on a vacant hillside property on Canyon Crest Road in the City of Altadena, northwest of the intersection of Lincoln Avenue and Loma Alta Drive.

All of the ten (10) surveyed oak trees onsite are coast live oaks (*Quercus agrifolia*). The ten (10) oaks are illustrated on the attached Oak Tree Location & Impact Map. Of the ten (10) ordinance-sized oak trees surveyed for this report, one (1) tree is proposed for removal, eight (8) trees will have potential encroachments into their protected zones (PZ), and one (1) tree will remain with no impact. Two additional trees (#11 & 12) were identified in the field and are shown on the Oak Tree Location Map, but are not ordinance-sized and are therefore not included in this analysis. None of the surveyed trees qualify as a heritage oak tree based on trunk diameter. This report identifies the extent of the potential impacts and recommends management and/or mitigation measures where appropriate.

Of the 10 ordinance-size oaks surveyed, one (1) oak tree (10%) received an "A" grade, seven (7) oak trees (70%) received a "B" grade, and two (2) oaks (20%) earned a "C' grade at the time of the surveys. This report identifies the extent of the potential impacts and recommends management and/or mitigation measures where appropriate.

DEFINITIONS & SURVEY METHOD

The County of Los Angeles has established the Oak Tree Permit, in part, "...to recognize oak trees as significant historical, aesthetic and ecological resources, and as one of the most picturesque trees in Los Angeles County, lending beauty and charm to the natural and manmade landscape, enhancing the value of property, and the character of the communities in which they exist; and to create favorable conditions for the preservation

and propagation of this unique, threatened plant heritage, particularly those trees which may be classified as heritage oak trees, for the benefit of current and future residents of Los Angeles County." (Ord. 88-0157 § 1, 1988: Ord. 82-0168 § 2 (part), 1982.) An Oak Tree Permit is required prior to cutting, destroying, removing, relocating, inflicting damage, or encroaching into the protected zone of any tree of the oak genus, which is eight (8) inches or more in diameter for a single trunked-tree, or whose two largest combined trunks equal 12 inches in diameter as measured 4 ½ feet above mean natural grade (22.56.2060 (A)). The protected zone (PZ) includes the area within the dripline of an oak tree and extends therefrom to a point at least five feet outside the dripline, or 15 feet from the trunk of a tree, whichever distance is greater (22.56.2060 (C)).

In the County of Los Angeles, those trees with a diameter breast height (DBH) of 36" or more are considered to be "heritage" trees. However, trees that do not meet this criterion may be classified as heritage trees by the County of Los Angeles if the tree has been determined to have "significant historical or cultural importance to the community". None of the ten (10) surveyed oak trees for this report meet the 36"-diameter size requirement for heritage (H) trees.

This oak tree report complies with the requirements set forth in 22.56.2090 (F)(1a-f), which indicates that the report evaluate the physical structure, aesthetics, and health of each tree in the development area or within 200 feet of the proposed development. There are additional oak trees within 200 feet of the proposed development, but beyond the property boundary. These trees could not be surveyed due to access restrictions by the adjacent property owners and are not proposed to be impacted by the development. There are approximately eight (8) additional oak trees that are located on-site approximately 170 feet downslope from the proposed development. The elevation at which these trees are located is more than 80 feet below the elevation where the proposed building is located. These oaks will not be impacted by the proposed development and were therefore not included in the scope of this analysis.

The oak trees were visually surveyed and tagged by LDC in the field on May 9, 2014. The trees were numbered and tagged with a circular metal tag 1½" in diameter that, unless otherwise noted on the field data sheets, was placed on the north side of the trunk at DBH.

Each tree was evaluated for a variety of health, structural, and aesthetic qualities as indicated on the field inspection worksheets in Appendix I. The tree number, location, canopy, and protected zone of each tree is mapped on the enclosed "Oak Tree Location & Impact Map". The following discussion expands on the information summarized in the field survey worksheets attached in Appendix I.

Trunk diameter is measured at "diameter breast height" (DBH), approximately 4½ feet (54") above the natural grade. This measurement is most appropriate for trees with vertical growth forms. Oak trees often have large lateral branches diverging from the trunk at or near 4½ feet. Measuring a tree of this type at exactly 4½' above natural grade would often result in an inaccurate impression of tree size. For trees that exhibit lateral branching at DBH, the trunk diameter measurement is made at the nearest point where the measurement can be accomplished without being impeded by the branches. For multi-trunk trees, the number of trunks and the diameter (DBH) of each trunk is recorded.

Evaluation of canopy characteristics includes the dripline radius. The dripline radius is measured along a line extending from the center of the trunk outward in four magnetic compass directions. The measurement is made from the outer edge of the trunk to the outermost living part of the tree. In some cases, where a tree has several trunks growing in a ring, the dripline radius is measured from the center of the ring. Use of this measurement is noted under comments and notes when used. The canopy spread measurement is the maximum canopy diameter of the tree in question.

Tree injuries leave the tree vulnerable to many potential sources of damage and disease. Insect pests will take advantage of an injury to invade exposed wood and cambium. Some fungi, which break down wood, will also take advantage of a wound to enter the

tree. These fungi will result in the softening of the wood called heart rot. Heart rot, in combination with the activities of insects, animals and/or fire, will eventually produce cavities in the trunk or major branches of the tree.

Structural stability also affects the potential survival of a tree. Trees that are structurally unstable are assumed to have a shorter potential life span than structurally stable trees. Oaks frequently grow in loose soil on steep slopes; this soil is prone to down slope movement, resulting in trees that have been undermined and lean precariously down hill. The action of streams, as described above, also results in unstable trees. Young oaks are highly phototropic (growing toward light). In woodland environment this trait often causes young trees to grow toward an opening in the canopy that may be far from directly overhead, resulting in a poorly balanced tree. Another common cause of structural instability is severe cavitations or mechanical damage as described above.

The most common health problem affecting oak trees is some form of biological infestation. Almost all oak trees have sub-critical infestations of one type or another. Only when the tree has been severely injured are the infesting organisms able to invade the tree and become a severe problem. Termites are one of the most common pests to utilize oak trees as a food source. Termites eat only dead wood and must enter the tree through an opening in the bark or root. Most oaks have a limited (and usually harmless) number of termites in the smaller terminal twigs and branches that have died. Wood boring beetles are similar to termites in their requirements and have a similar affect on the tree. Only when the infestation becomes severe do wood eating insects pose a threat to the tree. However, beetles that eat cambium can be a serious threat to a tree even in small numbers. Cambium eaters can easily kill a small branch or trunk by girdling the structure and curtailing the flow of nutrients through the cambium.

There are a host of other insects and arthropods, which utilize oaks in a variety of ways. In natural situations these potential threats are kept in check by abundant natural enemies and the oak's natural protective features. Climbing plants, though not technically an infestation, are also included in this category.

Each tree was assigned two letter grades, one health and one aesthetic and conformity rating. The health and aesthetic rating of the trees are based on the archetype tree of the same species through a subjective evaluation of its health, aesthetic value, and ecological value. The health of the tree depends on the level of damage caused by infestation of various pests including termites, wood boring beetles, cambium eating beetles, fungus of various types, climbing plants, and parasitic plants (i.e., mistletoe), or fire.

While the aesthetic value of a tree is subjective, a tree is usually considered highly aesthetic if it has generally dense foliage, a relatively uniform or spectacular irregular shape, and large size. Ecological value is based on many factors, not all of which have a positive correlation with the health and aesthetic value of the tree. Most important is the likelihood that the tree will continue to survive.

The following criteria were used to establish each grade:

"A" = Outstanding:

> Exceptional trees, mostly of large size, of good growth form with often large spreading crown, exhibiting very good to excellent health with mostly normal necrosis and a minimum of pathological symptoms and a minimum of fire damage. Some of these trees may have some trunk cavitation and some disease symptoms, but these are not considered detrimental to the overall health of the tree. The trees are large and overall attractive.

"B" = Above Average:

> Good to very good trees but either not of large size or tending to show some necrotic or pathological symptoms or minor fire damage. Most of these trees have some dieback and may have some brooming (regrowth) and all have normal amounts of normal stem dieback. These are basically good trees with a strong potential for continued survival.

"C" = Average:

> Average, moderately good trees whose growth habit and pathological or fire-

induced symptoms indicate an equal chance to either decline or continue in the future. Most of these trees would have moderate stem and branch dieback, some bark exfoliation, or stem cavitation with rot, and relatively moderate fire damage. They may also show various amounts of insect damage to leaves etc. or are impacted and shaded or crowded by adjacent trees in such a way that it is expected to negatively effect the tree.

"D" = Below Average/Poor

Declining trees with a reduced chance of survival due to excessive fire damage, or strong-stem or branch dieback caused by crowding, shading or various pathological conditions. These would not be expected to survive over the long term and generally show partial foliage. However, some may show sucker shoots or crown-sprouting that have developed after the fire and are expected to survive over the long term.

"F" = Dead:

This tree exhibits no signs of life whatsoever.

PROJECT IMPACTS

The applicant is proposing to construct a new single-family residence of approximately 1,500 square feet with an attached integral garage on the 1.02-acre hillside site. The residence will consist of a garage at street level, with the main floor below the garage descending the hillside. The lowest level further descends the hillside under a subset of the main floor footprint. The only excavation proposed for the proposed structure will be for a proposed five-foot retaining wall and six 24-inch CIDH friction piles that will support the structure. Illustrated on the Oak Tree Location & Impact Map are the location and canopies of the ordinance-sized oak trees located on the subject property and within the immediate vicinity of the subject property. Ten (10) surveyed and tagged ordinance-sized oak trees fell within this limit. **One (1) oak tree is proposed for removal, eight (8) are proposed to have either temporary or permanent encroachments within their protected zones, and one (1) oak tree will remain with no impact.**

Trees #1, 2, 3, 4, 5 and 7 are proposed to have encroachments within their protected zones due to the placement of a vapor permeable driveway off of Canyon Crest Road. The placement of the driveway is not anticipated to result in any significant impact to the trees. The placement of the new driveway will be placed over existing grade and may require a slight notching of the hillside for placement of the driveway. No significant impacts to the trees are anticipated as a result of the driveway placement.

The placement of a five-foot retaining wall within the canopies of Trees #4, 7, and 8 will result in a potential impact to the root system of those trees. The retaining wall is approximately 4 feet from the trunk of Tree #4, 6 feet from the trunk of #7, and 1 foot into the protected zone of #8. The minimum industry recommendation for excavation on one side of a tree is five times the trunk diameter (given a healthy tree). The proposed excavation is closer than this recommended distance to Trees #4 and 7 and could result in damage to the root system of the trees. Excavation should be performed under an arborist's guidance.

The proposed residence is located on a slope and will be supported by six 24-inch CIDH friction piles on a grade beam foundation. Five out of the six piles will be located within the protected zones of Trees #4, 5, and 7. However, it does not appear that a significant portion of the root system of any of the trees would be impacted by the minimum 24-inch hole, and the overall health and stability of the trees should not be compromised. Since the location of actual roots is unknown until excavation occurs, actual impacts to specific roots cannot be determined at this time.

The proposed building encroaches into the canopies of Trees #4, 5, and 7 and may result in some canopy pruning. Any pruning that may be required should be performed under an arborist's guidance.

The following table summarizes the proposed status of each tree. The species is noted after the tree number in a code. The overall grade for each tree is also noted. The

comment column gives a brief explanation of the proposed reason for impact, be it removal or encroachment. See the notes at the bottom of the summary table for a key to the species and impact status.

Table 1 – Summary of Oak Trees for APN: 5830-003-016

Tree No.	DBH (inches)	Species	Overall Grade	Impact Status			Ordinance size	Comment
				NI	R	E		
1	33	QA	A			✓	Yes	Driveway will encroach 9' into dripline
2	15.5	QA	B-			✓	Yes	Driveway will encroach 5' into PZ
3	6.5, 11.5	QA	C			✓	Yes	Driveway will encroach 9' into dripline
4	9.5, 19	QA	B+			✓	Yes	Driveway will encroach 12' into dripline with possible notching of hillside; Structure will encroach 12.5' into dripline; Retaining wall 4' from trunk; Pile within dripline
5	14	QA	B			✓	Yes	Driveway will encroach 5' into dripline; Structure will encroach 3' into dripline; Pile within dripline
6	14	QA	B		✓		Yes	Trunk leans into proposed location of structure
7	27.5	QA	C-			✓	Yes	Driveway will encroach 6' into dripline with possible notching of hillside; Structure will encroach 16' into dripline; Pile within dripline; Retaining wall 6' from trunk
8	12	QA	B-			✓	Yes	Driveway will encroach 2' into dripline; Structure will encroach 3' into PZ
9	9, 13	QA	B-			✓	Yes	Structure will encroach 2' into PZ; Pile within PZ
10	15.5	QA	B	✓			Yes	
11	7	QA	-		✓		No	Not Ordinance size – not surveyed - entire canopy leaning SW over slope
12	6.5	QA	-		✓		No	Not Ordinance size – not surveyed - entire canopy leaning SW over slope
TOTAL				1	3	8		

NI = NO IMPACT R = REMOVAL E = ENCROACHMENT

QA = Coast live oak (*Quercus agrifolia*) PZ = Protected Zone DBH = Diameter at Breast Height

MITIGATION MEASURES

Only one (1) of the 10 oak trees surveyed is proposed for removal. Eight (8) of the ten (10) oak trees surveyed will sustain temporary or permanent encroachments within its protected zones. Therefore, special care must be taken during construction activities to minimize impacts to the tree roots and canopy in the protected zone. Implementation of the following measures will insure that the roots and canopy in the protected zone will not be significantly affected.

1. The applicant shall be responsible for notifying the County Forester of any changes in the scope of the work and shall insure that all work is performed in accordance with applicable ordinances, permits and procedures. Work performed within the protected zones of the trees shall be preceded by not less than 48 hours notice to the County Forester and the project's oak tree consultant (certified arborist).
2. **The applicant shall plant a minimum of 2, 15-gallon minimum replacement oak trees within the open space areas of the property to replace the 1 removal tree (2:1 ratio for non-heritage).** The mitigation trees shall consist of indigenous coast live oaks. The applicant shall be responsible for the monitoring and maintenance of the replacement trees for a minimum of two years. If the replacement trees die during the two-year period, the applicant shall plant new replacement trees and the two-year monitoring period shall begin again from the date of that planting.
3. Should any of the encroached oak trees (Trees #1-5 and 7-9) fail as a result of the proposed project within two (2) years of completion, the tree shall be replaced at a 2:1 ratio. Impacts that could contribute to the decline of an oak from project implementation could be direct (e.g. construction activities damaging roots or branches) or indirect (e.g. improper drainage resulting in root rot).
4. All work in the protected zone of the trees approved for encroachment must be done using hand implements only; the use of mechanized tools is prohibited except where absolutely necessary AND as approved by the County Forester. All work conducted within the protected zone of the oak trees shall be performed in the presence of the

applicant's oak tree consultant. The protected zone shall commence from a point five (5) feet outside of the dripline and extend inwards to the trunk of the tree. In no case shall the protected zone be less than fifteen (15) feet from the trunk of an oak tree.

5. Preservation and encroachment trees may benefit from supplemental irrigation prior to and during construction. The monitoring arborist shall recommend an irrigation regimen if necessary.

6. Equipment, materials, and vehicles shall not be stored, parked or operated within the protected zone of an oak tree, except on the existing flat pad off of Canyon Crest Road for work that is being performed at the time in the immediate vicinity. Plywood shall be applied on top of the existing wood mulch over the entire pad during construction activities to minimize impacts from compaction.

7. Removal of the natural leaf mulch within the protected zone of the project oak trees is prohibited except where absolutely necessary AND as approved by the project's oak tree consultant.

8. All trees not approved for encroachment shall be fenced in accordance with County of Los Angeles guidelines prior to commencement of construction operations, and shall remain fenced until the County Forester approves removal of fencing.

9. Any pruning, including dead wooding, shall be performed in compliance with the latest ANSI pruning standards by a certified arborist (or certified tree worker).

10. Root-pruning within the protected zone shall be reduced to the minimum amount that is absolutely necessary. All roots pruned shall consist of clean, 90°-angle cuts utilizing sharp hand tools and shall not be sealed unless directed by the County Forester. Any major roots (2" or greater in diameter) encountered shall be preserved to the extent possible, wrapped in moist burlap, until the soil is replaced. Soil shall be replaced as soon as possible around preserved roots.

11. Upon completion of the work associated with this permit, a four to six-inch layer of certified mulch shall be placed around the protected zone of the encroachment trees. Where feasible, the native leaf litter should be retained and used as the mulching material.

12. The applicant shall be responsible for notifying and coordinating all conditions with the County and the project's oak tree consultant.

Disclaimer:

This report represents the independent opinion of the signatory consultant (Land Design Consultants, Inc.). The trees discussed herein were generally reviewed for physical, biological function, and aesthetic conditions. This examination was conducted in accordance with presently accepted industry procedures, which are a ground-plane macro-visual observation only. No extensive micro-biological, soil-root excavations, upper crown examination, nor internal tree investigations were conducted and therefore, the reporting herein reflects the overall visual appearance of the trees on the date(s) reviewed and no warranty is implied to the potential failure, health, or demise of any part or whole of any tree described in the report. Records may not remain accurate after our inspection due to unknown causes of changeable deterioration of the reviewed site.

Respectfully submitted,

LAND DESIGN CONSULTANTS, INC.

Scott McAllaster
Project Planner
ISA Certified Arborist, WE-7011A

APPENDIX I

FIELD INSPECTION WORKSHEETS

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 1

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 **Height (ft.):** 50

Trunk DBH (in.): 33

Percent Canopy Cover: 80%

Existing Terrain: ☒ Flat ☐ Slope

Aesthetic Rating[3]: ☒A ☐B ☐C ☐D ☐F

Overall Grade: ☒A ☐B ☐C ☐D ☐F

Health Rating[1]: ☒A ☐B ☐C ☐D ☐F

Form: ☒ symmetric ☐ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[2]: ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☐ semi-mature ☒ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	25	
NE		
E	25	
SE		
S	24	
SW		
W	27	
NW		

CANOPY SPREAD (FEET): 52

TREE HEALTH

Wound Wood Development: Excellent ☒ Average ☐ Poor ☐ None ☐

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☐ No ☒ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☒ No ☐ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☒ No ☐ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☒ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☒ Excellent ☐ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☐ None ☒ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☐ Minor ☐ Moderate ☐ Extensive ☒ None

Exudations: ☒ No ☐ Yes

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

Comments & Notes: On adjacent property to north; Minor mech. dam. to root near base; pruning for road clearance; 2 main scaffold branches are cabeled – included bark at codoms; power lines through canopy

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[1] Health: A =Outstanding; B = Above Average, C = Average; D = Below Average; F = Dead

[2] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[3] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET *LDC Project No. 13038-001*

Survey Date: 5/9/14 **Tree Number:** 2

GENERAL CHARACTERISTICS	
Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*	**Health Rating[4]:** ☐A ☒B- ☐C ☐D ☐F
	Form: ☐ symmetric ☒ minor asymmetry
Trunk Count: 1 **Height (ft.):** 35	☐ major asymmetry ☐ stump sprout
Trunk DBH (in.): 15.5	☐ stag-head
Percent Canopy Cover: 60%	**Crown Class[5]:** ☐ Decurrent ☒ Excurrent
Existing Terrain: ☒ Flat ☐ Slope	**Age Class:** ☐ immature ☒ semi-mature
Aesthetic Rating[6]: ☐A ☒B ☐C ☐D ☐F	☐ mature ☐over-mature/senescent
Overall Grade: ☐A ☒B- ☐C ☐D ☐F	**Heritage Tree:** ☒ No ☐ Yes

CANOPY CHARACTERISTICS		
	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	15	
NE		
E	18	
SE		
S	19	
SW		
W	5	
NW		
CANOPY SPREAD (FEET): 34		

PROPOSED ACTIONS	
Monitor for Progress:	☐ Yes ☒ No
Treat Infestations:	☐ Yes ☒ No
Remove Deadwood:	☐ Yes ☒ No
Support Structure:	☐ Yes ☒ No

IMPACTS & MITIGATIONS	
In Impacted Area: ☒ Yes ☐ No	
Proposed Land Use: Residence	
Impacts: Encroachment	
Mitigations: See Oak Tree Report	

TREE HEALTH	
Wound Wood Development:	☐ Excellent ☐ Average ☒ Poor ☐ None
Foliage Density:	☒ Normal ☐ Sparse
Weak crotches:	☐ No ☒ Yes
Oak Pit Scale:	☒ No ☐ Yes
Mainstem dieback:	☒ No ☐ Yes
Exposed Roots:	☒ No ☐ Yes
Epicormic growth:	☒ No ☐ Yes
Shading Out:	☐ No ☒ Yes
Cavities:	☒ None ☐ Trunk ☐ Branch
Exfoliating Bark:	☒ No ☐ Yes
Water Pocket(s):	☒ No ☐ Yes
Mechanical Damage:	☒ Trunk ☒ Branch ☐ None
Canker/Galls:	☒ No ☐ Yes
Fungus:	☒ No ☐ Yes
Vigor:	☐ Excellent ☒ Average ☐ Fair ☐ Poor
Twig/ Branch Dieback:	☒ None ☐ Minor ☐ Moderate ☐ Extensive
Leaf Size:	☒ Normal ☐ Small
Heart Rot:	☒ No ☐ Yes
Insects:	☐ Minor ☐ Moderate ☐ Extensive ☒ None
Exudations:	☒ No ☐ Yes

Comments & Notes: Growing within outlet structure – part of tree base is growing over the concrete of the structure; included bark (minor) at codom; multiple pruning events (road clearance); power line through canopy

[4] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead
[5] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.
[6] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 3

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 2 Height (ft.): 35

Trunk DBH (in.): 6.5, 11

Percent Canopy Cover: 70%

Existing Terrain: ☒ Flat ☐ Slope

Aesthetic Rating[5]: ☐A ☒B- ☐C ☐D ☐F

Overall Grade: ☐A ☐B ☒C ☐D ☐F

Health Rating[7]: ☐A ☐B ☒C ☐D ☐F

Form: ☐ symmetric ☐ minor asymmetry ☒ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[6]: ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	17	
NE		
E	23	
SE		
S	0	
SW		
W	0	
NW		

CANOPY SPREAD (FEET): 23

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☒ No ☐ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☒ No ☐ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☐ No ☒ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☒ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☐ Excellent ☒ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☒ None ☐ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☒ Minor ☐ Moderate ☐ Extensive ☐ None

Exudations: ☒ No ☐ Yes

Comments & Notes: Growing within outlet structure – part of tree base is growing over the concrete of the structure; slight lean to east; multiple pruning events (road clearance); power line through canopy

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[7] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[6] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[5] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET *LDC Project No. 13038-001*

Survey Date: 5/9/14 **Tree Number:** 4

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 2 **Height (ft.):** 45

Trunk DBH (in.): 9.5, 19

Percent Canopy Cover: 80%

Existing Terrain: ☒ Flat ☐ Slope

Aesthetic Rating[12]: ☒A ☐B ☐C ☐D ☐F

Overall Grade: ☐A ☒B+ ☐C ☐D ☐F

Health Rating[10]: ☐A ☒B ☐C ☐D ☐F

Form: ☐ symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[11]: ☐ Decurrent ☒ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	14	
NE		
E	11	
SE		
S	25	
SW		
W	17	
NW		

CANOPY SPREAD (FEET): 39

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density:	☒ Normal ☐ Sparse
Weak crotches:	☐ No ☒ Yes
Oak Pit Scale:	☒ No ☐ Yes
Mainstem dieback:	☒ No ☐ Yes
Exposed Roots:	☒ No ☐ Yes
Epicormic growth:	☐ No ☒ Yes
Shading Out:	☒ No ☐ Yes
Cavities:	☒ None ☐ Trunk ☐ Branch
Exfoliating Bark:	☒ No ☐ Yes
Water Pocket(s):	☒ No ☐ Yes
Mechanical Damage:	☒ Trunk ☒ Branch ☐ None
Canker/Galls:	☒ No ☐ Yes
Fungus:	☒ No ☐ Yes
Vigor:	☒ Excellent ☐ Average ☐ Fair ☐ Poor
Twig/ Branch Dieback:	☒ None ☐ Minor ☐ Moderate ☐ Extensive
Leaf Size:	☒ Normal ☐ Small
Heart Rot:	☒ No ☐ Yes
Insects:	☐ Minor ☐ Moderate ☐ Extensive ☒ None
Exudations:	☒ No ☐ Yes

Comments & Notes: Included bark at codoms; Mutiple pruning events; power lines adjacent to eastern portion of canopy; adjacent property owner uses adjacent pad and placed mulch within protected zone of tree

[10] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[11] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[12] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 5

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 **Height (ft.):** 35

Trunk DBH (in.): 14

Percent Canopy Cover: 80%

Existing Terrain: ☐ Flat ☒ Slope

Aesthetic Rating[15]: ☐A ☒B ☐C ☐D ☐F

Overall Grade: ☐A ☒B ☐C ☐D ☐F

Health Rating[13]: ☐A ☒B ☐C ☐D ☐F

Form: ☐ symmetric ☐ minor asymmetry ☒ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[14]: ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	0	
NE		
E	15	
SE	21	
S	24	
SW	21	
W	0	
NW		

CANOPY SPREAD (FEET): 24

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☒ No ☐ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☐ No ☒ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☐ No ☒ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☐ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☒ Excellent ☐ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☒ None ☐ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☐ Minor ☐ Moderate ☐ Extensive ☒ None

Exudations: ☒ No ☐ Yes

Comments & Notes: Within drainage area of outlet structure; base surrounded by rocks and debris; root collar exposed – dirt eroded away; canopy leaning south (shaded out); multiple pruning events

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[13] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[14] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[15] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 6

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 **Height (ft.):** 20

Trunk DBH (in.): 14

Percent Canopy Cover: 70%

Existing Terrain: ☐ Flat ☒ Slope

Aesthetic Rating[18]**:** ☐A ☐B ☒C ☐D ☐F

Overall Grade: ☐A ☒B ☐C ☐D ☐F

Health Rating[16]**:** ☐A ☒B ☐C ☐D ☐F

Form: ☐ symmetric ☐ minor asymmetry ☒ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[17]**:** ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	0	
NE		
E	0	
SE		
S	20	
SW		
W	14	
NW		

CANOPY SPREAD (FEET): 20

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Removal

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☒ No ☐ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☒ No ☐ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☐ No ☒ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☐ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☐ Excellent ☒ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☒ None ☐ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☒ Minor ☐ Moderate ☐ Extensive ☐ None

Exudations: ☒ No ☐ Yes

Comments & Notes: Sycamore borer at base; canopy shaded out by #5 -- leaning south; within drainage area of outlet structure

[16] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[17] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[18] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree -- F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 7

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 Height (ft.): 40

Trunk DBH (in.): 27.5

Percent Canopy Cover: 90%

Existing Terrain: ☐ Flat ☒ Slope

Aesthetic Rating[21]: ☐A ☒B ☐C ☐D ☐F

Overall Grade: ☐A ☐B ☒C- ☐D ☐F

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	5	
NE		
E	12	
SE		
S	22	
SW		
W	25	
NW		

CANOPY SPREAD (FEET): 37

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

Health Rating[19]: ☐A ☐B ☒C- ☐D ☐F

Form: ☐ symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[20]: ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☐ semi-mature ☒ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

TREE HEALTH

Wound Wood Development:	Excellent ☐ Poor ☐	Average ☒ None ☐
Foliage Density:	☒ Normal	☐ Sparse
Weak crotches:	☒ No	☐ Yes
Oak Pit Scale:	☒ No	☐ Yes
Mainstem dieback:	☒ No	☐ Yes
Exposed Roots:	☒ No	☐ Yes
Epicormic growth:	☐ No	☒ Yes
Shading Out:	☐ No	☒ Yes
Cavities:	☒ None	☐ Trunk ☐ Branch
Exfoliating Bark:	☒ No	☐ Yes
Water Pocket(s):	☐ No	☒ Yes
Mechanical Damage:	☐ Trunk ☒ Branch ☐ None	
Canker/Galls:	☐ No	☒ Yes
Fungus:	☒ No	☐ Yes
Vigor:	☐ Excellent ☐ Fair	☒ Average ☐ Poor
Twig/ Branch Dieback:	☐ None ☐ Moderate	☒ Minor ☐ Extensive
Leaf Size:	☒ Normal	☐ Small
Heart Rot:	☒ No	☐ Yes
Insects:	☒ Minor ☐ Extensive	☐ Moderate ☐ None
Exudations:	☐ No	☒ Yes

Comments & Notes: Tree was buried by sediment buildup and adjacent neighbot has dug a 4-foot wide pit around trunk to uncover trunk base; multiple pruning events; large area within protected zone covered by mulch; included bark on one branch attachment; one bleeding canker present on NW side of largest of scaffold branches with foamy discharge – photos taken for record

[19] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[20] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[21] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET *LDC Project No. 13038-001*

Survey Date: 5/9/14 **Tree Number:** 8

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 **Height (ft.):** 35

Trunk DBH (In.): 12

Percent Canopy Cover: 75%

Existing Terrain: ☒ Flat ☐ Slope

Aesthetic Rating[24]: ☐A ☒B ☐C ☐D ☐F

Overall Grade: ☐A ☒B ☐C ☐D ☐F

Health Rating[22]: ☐A ☒B- ☐C ☐D ☐F

Form: ☐ symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[23]: ☐ Decurrent ☒ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	14	
NE		
E	10	
SE		
S	8	
SW		
W	15	
NW		

CANOPY SPREAD (FEET): 25

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS & MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☒ No ☐ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☒ No ☐ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☐ No ☒ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☐ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☐ Excellent ☒ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☐ None ☒ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☐ Minor ☐ Moderate ☐ Extensive ☒ None

Exudations: ☒ No ☐ Yes

Comments & Notes: Tree was buried by sediment buildup and adjacent neighbot has dug a 4-foot wide pit around trunk to uncover trunk base; multiple pruning events

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[22] Health: A =Outstanding; B = Above Average; C = Average; D = Below Average; F = Dead

[23] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[24] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14 **Tree Number:** 9

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 2 **Height (ft.):** 35

Trunk DBH (in.): 9, 13

Percent Canopy Cover: 70%

Existing Terrain: ☐ Flat ☒ Slope

Aesthetic Rating[27]: ☐A ☐B ☒C ☐D ☐F

Overall Grade: ☐A ☒B- ☐C ☐D ☐F

Health Rating[25]: ☐A ☒B- ☐C ☐D ☐F

Form: ☐ symmetric ☐ minor asymmetry ☒ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[26]: ☒ Decurrent ☐ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	10	
NE		
E	5	
SE		
S	6	
SW		
W	24	
NW		

CANOPY SPREAD (FEET): 29

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS / MITIGATIONS

In Impacted Area: ☒ Yes ☐ No

Proposed Land Use: Residence

Impacts: Encroachment

Mitigations: See Oak Tree Report

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☐ No ☒ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☒ No ☐ Yes

Epicormic growth: ☐ No ☒ Yes

Shading Out: ☐ No ☒ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☐ Trunk ☒ Branch ☐ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☐ Excellent ☒ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☒ None ☐ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☐ Minor ☐ Moderate ☐ Extensive ☒ None

Exudations: ☒ No ☐ Yes

Comments & Notes: included bark at codoms; 15' high pole erected adjacent and against trunk; rope for a hammock tied to branch from adjacent property;multip'e pruning events; approx. 2' away from property wall (block wall)

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[25] Health: A =Outstanding; B = Above Average; C = Average, D = Below Average; F = Dead

[26] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[27] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead

OAK TREE FIELD DATA WORKSHEET

LDC Project No. 13038-001

Survey Date: 5/9/14

Tree Number: 10

GENERAL CHARACTERISTICS

Species: ☒ *Q. agrifolia* ☐ *Q. lobata* ☐ *Other*

Trunk Count: 1 Height (ft.): 40

Trunk DBH (In.): 15.5

Percent Canopy Cover: 85%

Existing Terrain: ☐ Flat ☒ Slope

Aesthetic Rating[30]: ☐A ☒B+ ☐C ☐D ☐F

Overall Grade: ☐A ☒B ☐C ☐D ☐F

Health Rating[28]: ☐A ☒B ☐C ☐D ☐F

Form: ☐ symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-head

Crown Class[29]: ☐ Decurrent ☒ Excurrent

Age Class: ☐ immature ☒ semi-mature ☐ mature ☐ over-mature/senescent

Heritage Tree: ☒ No ☐ Yes

CANOPY CHARACTERISTICS

	Dripline Radius (Feet)	Canopy to Grade (Feet)
N	14	
NE		
E	6	
SE		
S	18	
SW		
W	15	
NW		

CANOPY SPREAD (FEET): 32

PROPOSED ACTIONS

Monitor for Progress:	☐ Yes	☒ No
Treat Infestations:	☐ Yes	☒ No
Remove Deadwood:	☐ Yes	☒ No
Support Structure:	☐ Yes	☒ No

IMPACTS - MITIGATIONS

In Impacted Area: ☐ Yes ☒ No

Proposed Land Use: N/A

Impacts: None

Mitigations: None

TREE HEALTH

Wound Wood Development: ☐ Excellent ☐ Average ☒ Poor ☐ None

Foliage Density: ☒ Normal ☐ Sparse

Weak crotches: ☐ No ☒ Yes

Oak Pit Scale: ☒ No ☐ Yes

Mainstem dieback: ☒ No ☐ Yes

Exposed Roots: ☐ No ☒ Yes

Epicormic growth: ☒ No ☐ Yes

Shading Out: ☒ No ☐ Yes

Cavities: ☒ None ☐ Trunk ☐ Branch

Exfoliating Bark: ☒ No ☐ Yes

Water Pocket(s): ☒ No ☐ Yes

Mechanical Damage: ☐ Trunk ☐ Branch ☒ None

Canker/Galls: ☒ No ☐ Yes

Fungus: ☒ No ☐ Yes

Vigor: ☐ Excellent ☒ Average ☐ Fair ☐ Poor

Twig/ Branch Dieback: ☒ None ☐ Minor ☐ Moderate ☐ Extensive

Leaf Size: ☒ Normal ☐ Small

Heart Rot: ☒ No ☐ Yes

Insects: ☐ Minor ☐ Moderate ☐ Extensive ☒ None

Exudations: ☒ No ☐ Yes

Comments & Notes: Included bark at codoms; most of canopy to west over slope

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[28] Health: A =Outstanding; B = Above Average, C = Average; D = Below Average; F = Dead

[29] Decurrent = Lacking Strong Central Leader. Excurrent = Strong Central Leader.

[30] Aesthetic (compared to standard tree of same species) : A = nearly symmetrical, healthy tree – F = Dead