

Hearing Officer Transmittal Checklist

Hearing Date
9/1/2015
Agenda Item No.
5.

Project Number: R2014-03021-(5)
Case(s): Oak Tree Permit No. 201400037
Environmental Assessment Case No. 201400239
Planner: Carl Nadela

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

Reviewed By: 



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

PROJECT NUMBER **HEARING DATE**

R2014-03021-(5) 9/1/2015

REQUESTED ENTITLEMENTS

ROAK 201400037

PROJECT SUMMARY

OWNER / APPLICANT

Chris Loh / Nancy Chang

MAP/EXHIBIT DATE

2/6/2015

PROJECT OVERVIEW

The applicant is requesting an Oak Tree Permit to approve the removal of two oak trees and the encroachment into the protected zone of three oak trees by the demolition of an existing one-story single family residence and the building of a new two-story residence, with a larger footprint, as well as a pool and cabana. The entire landscape at the project site will also be redesigned, incorporating the healthy and structurally sound oaks. All trees are identified as Coast Live Oak (*Quercus agrifolia*) in an oak tree report dated April 2014 and revised on March 2015, prepared by Michael Crane of Arbor Care, Inc.

LOCATION

849 Michigan Blvd., unincorporated East
Pasadena

ACCESS

Michigan Boulevard

ASSESSORS PARCEL NUMBER(S)

5378-011-010

SITE AREA

0.6 ac

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

EAST PASADENA

LAND USE DESIGNATION

1 (Low Density Residential)

ZONE

R-1-20000 (SINGLE-FAMILY RESIDENCES
WITH MINIMUM 20,000 SQUARE FOOT LOT)

PROPOSED UNITS

1

MAX DENSITY/UNITS

1-6 DU / GROSS AC

COMMUNITY STANDARDS DISTRICT

EAST PASADENA-EAST SAN GABRIEL

ENVIRONMENTAL DETERMINATION (CEQA)

Class 2 (Replacement or Reconstruction) and Class 4 (Minor Alterations to Land) Categorical Exemptions

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.2100 (Oak Tree Permit Burden of Proof Requirements)
 - 22.20.105 (R-1 Development Standards)
 - 22.44.135 (East Pasadena-East San Gabriel Community Standards District)

STAFF RECOMMENDATION

Approval

CASE PLANNER:

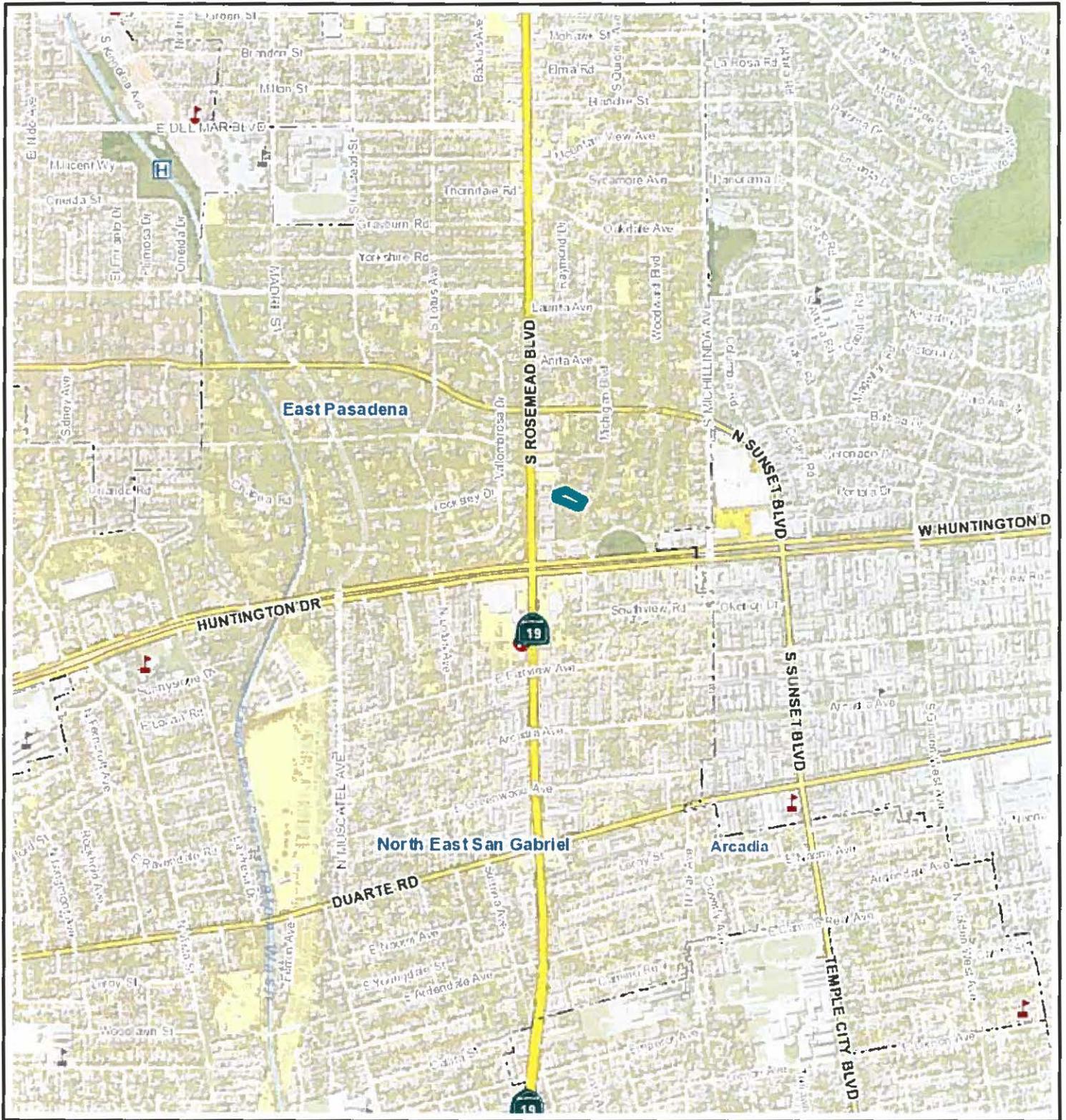
Carl Nadela

PHONE NUMBER:

(213) 974-6435

E-MAIL ADDRESS:

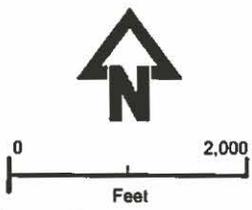
cnadela@planning.lacounty.gov



R2014-03021-(5)

Location Map

Printed: May 27, 2015



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ENTITLEMENTS REQUESTED

- The applicant is requesting an Oak Tree Permit to approve the removal of two oak trees and the encroachment into the protected zone of three oak trees by the demolition of an existing one-story single family residence and the building of a new two-story residence.

PROJECT DESCRIPTION

The applicant is requesting an Oak Tree Permit to approve the removal of two oak trees and the encroachment into the protected zone of three oak trees by the demolition of an existing one-story single family residence and the building of a new two-story residence, with a larger footprint, as well as a pool and pool cabana. The entire landscape at the project site will also be redesigned, incorporating the healthy and structurally sound oaks. All trees are identified as Coast Live Oak (*Quercus agrifolia*) in an oak tree report dated April 2014 and revised on March 2015, prepared by Michael Crane of Arbor Care, Inc.

There is an existing single-family residence located in the southeast corner of the site and five Coast Live Oak trees scattered throughout the site. The proposed project (Plot Plan No. 201401052; to be approved separately) will demolish the existing single family residence and build a new, two-story residence with a three car garage and cabana in the back. Five oak trees exist on site, two of which are proposed to be removed and mitigated at a ratio of 2:1.

EXISTING ZONING

The subject property is zoned R-1-20000 (Single-Family Residence – 20,000 Square Feet Minimum Required Lot Area).

Surrounding properties are zoned as follows:

North: R-1-20000

South: R-1-20000, R-3 (Limited Multiple Residences)

East: R-1-20000

West: R-1-20000, R-3

EXISTING LAND USES

The subject property is developed with a single-family residence and accessory structures.

Surrounding properties are developed as follows:

North: single-family residences, church and school, parking

South: single-family residences, multi-family residences, commercial center

East: single-family residences

West: single-family residences, multi-family residences

PREVIOUS CASES/ZONING HISTORY

Ordinance 1494 was adopted in May 21, 1927, which established the different zoning designations for the unincorporated areas of Los Angeles County.

Ordinance No. 1959 was adopted in July 11, 1931, which established the R-1 zone on the subject property.

Ordinance No. 3865 was adopted in May 21, 1941, which added the 20,000 square foot minimum lot size requirement to the property.

Ordinance No. 3900 was adopted in August 14, 1941, which established a 40 feet setback line on the property.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction and Conversion of Small Structures, and Class 4, Minor Alterations to Land) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.

This project proposes to demolish an existing Single Family Residence and replace it with a new, two-story residence with new landscaping, a pool and a cabana. The project also proposes to remove two Oak Trees and encroach on the remaining three oak trees at the site. The oak trees proposed to be removed have been determined to be unhealthy and not recommended for preservation as per the oak tree report prepared by Michael Crane of Arbor Care, Inc. These trees will be mitigated onsite at a ratio of 2:1. The proposed encroachments on the oak trees are minor and will not endanger the health of the remaining oak trees on site.

STAFF EVALUATION

General Plan Consistency

The project site is located within the 1 (Low Density Residential) land use category of the Los Angeles Countywide General Plan ("General Plan"). This designation is intended for single family detached housing units, including large lot estates and typical suburban tract developments, with densities ranging from one to six dwelling units per gross acre. The intent of this classification is to maintain the character of existing low density residential neighborhoods, as well as to provide additional areas to accommodate future market demand. The existing, as well as the proposed single family residence, are consistent with the intention of the Low Density Residential designation and are therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Policy 1: Concentrate well designed high density housing in and adjacent to centers to provide convenient access to jobs and services without sacrificing livability or environmental quality.*

The proposed project is located in a fairly dense residential area where a number of nearby parcels are developed with multi-family housing unit. It is also walking distance from a number of commercial establishments. It is an appropriately

designed and scaled residential use which provides convenient access to jobs and services in the vicinity.

- *Policy 7: Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards.*

The proposed project will remove only the two oak trees that have been deemed not viable for preservation, and will mitigate these onsite at a ratio of 1:2. The project has been designed so as to minimize encroachment into the remaining three oak trees onsite.

- *Policy 28: Ensure continuing opportunity for citizen involvement in the land-use decision making process.*

The community was appropriately notified of the public hearing by newspaper, library posting, and DRP website posting and was given sufficient time to provide feedback prior to the hearing date.

Zoning Ordinance and Development Standards Compliance

The project is subject to the provisions of Part 16 of Chapter 56 of the County Code (Oak Tree Permits), which prohibits the encroachment 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 (OTP) is first obtained as provided by this Part 16. This OTP is being requested for the removal of two oak trees and the encroachment into three oak trees at the site by the development of a proposed single-family residence and accessory structure to replace the existing one at the site.

In addition, the site is subject to sections 22.20105 (Development Standards for Single Family Residences), 22.20.110 (Height Limits), 22.20.120 (Yard Requirements), 22.20.130 (Parking) and 22.20150 (Required Area) of the County Code. The proposed single family residence and accessory structures are subject to these development standards and will be reviewed separately under Plot Plan No. 201401052.

Site Visits

A site visit was conducted by staff on June 18, 2015. At this time, the property was fenced off with green screening material. However, from the public right of way, the residence was still visible and it was boarded up and dilapidated. The yard was overgrown with weeds, which extended all the way to the side property lines.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.2100 (Oak Tree Permit Burden of Proof) 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 required burden of proof.

The project has been redesigned several times to completely avoid encroachment into one oak tree and reduce the encroachment into another. These include the removal of a proposed pond and storage area in the protected zone of Oak Tree No. 3 and the adjustment of the cabana further away from Oak Tree No. 4. The Oak Tree Report prepared for this project find that the encroachments into these oak trees are tolerable and recommends specific actions to further ensure the protection of these trees. These include requiring hand excavation, monitoring by the consultant and providing protective fences near the oak trees. Thus, 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, on the subject property.

The subject property has a relatively flat terrain where soil erosion is not much of an issue. The proposed project proposes to preserve the three healthy trees at the western portion of the site, which will help absorb surface waters at the site. Any excess surface water can be adequately contained by the design of the proposed single family residence at the site. Thus, the proposed project will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.

The five oak trees currently at the site are scattered all over the site and cover a substantial part of the property. It would be not be reasonable to completely avoid the removal of and/or encroachment into these trees. Thus, the removal and encroachment of the oak trees proposed is necessary as continued existence and/or non-encroachment of the oak trees at their present locations frustrates the planned improvement or proposed use of the subject property to such an extent that it precludes the reasonable and efficient use of such property for a use otherwise authorized.

As per the findings of the Oak Tree Report prepared for the project, the two oak trees to be removed have extensive health and structural problems and are not good candidates for preservation. The condition of the oak trees proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures and practices. Thus, these are proposed for removal and mitigation at a ratio of 2:1. The mitigation trees will help provide additional tree cover not just on the property but on the public right of way as well.

Neighborhood Impact/Land Use Compatibility

The subject property consists of a residential use, with a number of accessory uses such as a pool and a cabana. Surrounding land uses primarily consist of residential uses to the north, south, east, and west, with some commercial uses to the north and south. Surrounding residences are composed of two-story structures similar to size and scale proposed at the site. A number of oak trees can also be found in the area, similar

to the ones that will be preserved at this property. The use is consistent and compatible with the surrounding community.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Based on comments in a letter from the County Fire Department, Forestry Division, dated April 29, 2015, the Oak Tree Report is accurate and complete as to the location, size, condition, and species of the Oak trees on the site, and recommended conditions are attached.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-03021-(5), Oak Tree Permit Number 201400037, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE OAK TREE PERMIT NUMBER 201400037 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Carl Nadela, AICP, Zoning Permits East Section,
Reviewed by Maria Masis, AICP, Supervising Regional Planner, Zoning Permits East

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs, Aerial Image
Site Plan, Land Use Map

MM:CN
06/17/2015

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-03021-(5)
OAK TREE PERMIT NO. 201400037**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. 201400037 ("CUP") on September 1, 2015.
2. The permittees, Chris Loh and Nancy Chang ("permittees"), requests the OTP to authorize the removal of two oak trees and the encroachment into the protected zone of three oak trees by the demolition of an existing one-story single family residence and the building of a new two-story residence ("Project") on a property located at 849 Michigan Blvd in the unincorporated community of East Pasadena ("Project Site") in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.56.2060.
3. The Project is located at 849 Michigan Blvd, Pasadena, CA 91107.
4. The Project Site is 0.6 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with relatively flat topography and is developed with a single family residence and accessory structures.
5. The Project Site is located in the East Pasadena Zoned District and is currently zoned R-1-20000.
6. The Project Site is located within the Low Density Residential (1) land use category of the Los Angeles Countywide General Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-20000
 - South: R-1-20000, R-3 (Limited Multiple Residences)
 - East: R-1-20000
 - West: R-1-20000
8. Surrounding land uses within a 500-foot radius include:
 - North: single-family residences, church and school, parking
 - South: single-family residences, multi-family residences, commercial center
 - East: single-family residences
 - West: single-family residences, multi-family residences
9. Ordinance 1494 was adopted in May 21, 1927, which established the different zoning designations for the unincorporated areas of Los Angeles County.

Ordinance No. 1959 was adopted in July 11, 1931, which established the R-1 zone on the subject property.

Ordinance No. 3865 was adopted in May 21, 1941, which added the 20,000 square foot minimum lot size requirement to the property.

Ordinance No. 3900 was adopted in August 14, 1941, which established a 40 feet setback line on the property.

10. The site plan for the Project depicts a proposed two-story single family residence with a detached three car garage, a pool and a cabana. The residence is accessed through a 10 foot circular driveway with two access points from Michigan Boulevard. It also shows the location of the two oak trees that are proposed to be removed as well as the three oak trees that are proposed to remain and will be encroached upon by this project.

A separate demolition plan depicts the existing single family residence, garage, two storage buildings and a patio, which are all proposed to be demolished. It also shows the location of the five existing oak trees at the site.

11. The Project Site is accessible via Michigan Blvd to the east.
12. The Project will provide three parking spaces in a detached garage located on the northwest side of the property, accessed through a driveway from Michigan Blvd.
13. The permittee has reached out to the Michillinda Park Association and Chapman Woods Association to inform them of the proposed project at the site.
14. Based on comments in a letter from the County Fire Department, Forestry Division, dated April 29, 2015, the Oak Tree Report is accurate and complete as to the location, size, condition, and species of the Oak trees on the site, and recommended conditions are attached and included in the Project's conditions
15. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3 (New Construction or Conversion of Small Structures) and Class 4 (Minor Alterations to Land), categorical exemption from 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.

This project proposes to demolish an existing Single Family Residence and replace it with a new, two-story residence with new landscaping, a pool and a cabana. The project also proposes to remove two Oak Trees and encroach on the remaining three oak trees at the site. The oak trees proposed to be removed have been determined to be unhealthy and not recommended for preservation as per the oak tree report prepared by Michael Crane of Arbor Care, Inc. These trees will be mitigated onsite at a ratio of 2:1. The proposed encroachments on the oak trees are minor and will not endanger the health of the remaining oak trees on site.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
17. No comments have been received from the public.
18. *To be inserted after the public hearing to reflect hearing proceedings.*
19. The Hearing Officer finds that that the existing, as well as the proposed, residential use, along with the pool, cabana and other accessory structures, are consistent with the 1 (Low Density Residential with a maximum residential density of 6 dwelling units per acre) land use designation of the Los Angeles County General Plan.
20. The Hearing Officer finds that the existing, as well as the proposed, residential use, along with the pool, cabana and other accessory structures are consistent with the R-1-20000 Zone. The construction of the proposed new two-story single family residence will be reviewed for compliance with County Code requirements under separate review of Plot Plan No. 201401052.
21. The Hearing Officer finds that proposed project meets the Oak Tree Permit Burden of Proof requirements pursuant to Section 22.56.2100 of the County Code.
22. The Hearing Officer finds that 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, on the subject property.

The project has been redesigned several times to completely avoid encroachment into one oak tree and reduce the encroachment into another. These include the removal of a proposed pond and storage area in the protected zone of Oak Tree No. 3 and the adjustment of the cabana further away from Oak Tree No. 4. The Oak Tree Report prepared for this project find that the encroachments into these oak trees are tolerable and recommends specific actions to further ensure the protection of these trees. These include requiring hand excavation, monitoring by the consultant and providing protective fences near the oak trees.

23. The Hearing Officer finds that that the proposed project will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.

The subject property has a relatively flat terrain where soil erosion is not much of an issue. The proposed project proposes to preserve the three healthy trees at the western portion of the site, which will help absorb surface waters at the site. Any excess surface water can be adequately contained by the design of the proposed single family residence at the site.

24. The Hearing Officer finds that that the removal and encroachment of the oak trees proposed is necessary as continued existence and/or non-encroachment of the oak

trees at their present locations frustrates the planned improvement or proposed use of the subject property to such an extent that it precludes the reasonable and efficient use of such property for a use otherwise authorized.

The five oak trees currently at the site are scattered all over the site and cover a substantial part of the property. It would be not be reasonable to completely avoid the removal and/or encroachment into these trees.

25. The Hearing Officer finds that that the condition of the oak trees proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures and practices.

As per the findings of the Oak Tree Report prepared for the project, the two oak trees to be removed have extensive health and structural problems and are not good candidates for preservation. Thus, these are proposed for removal and mitigation at a ratio of 2:1.

26. The Hearing Officer finds that pursuant to section 22.56.2130 of the County Code, the community was properly notified of the public hearing by newspaper posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the San Gabriel Library. On July 2, 2015, a total of ten (10) Notices of Public Hearing were mailed to those on the courtesy mailing list for the East Pasadena Zoned District and to any additional interested parties.

27. 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 East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- 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 of the County Code on the subject property; and
- B. That the encroachment of the oak trees proposed will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That the encroachment of the oak trees proposed is necessary as continued existence at present locations frustrates the planned development and proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and

- D. That the encroachment of oak trees 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. Finds that the Project is exempt from the California Environmental Quality Act pursuant to sections 15303 (Class 3, New Construction or Conversion of Small Structures) and 15304 (Class 4, Minor Alterations To Land) of the State CEQA Guidelines and,
2. Approves Oak Tree Permit No. 201400037, subject to the attached conditions.

ACTION DATE: September 1, 2015

MM:CN
6/17/2015

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-03021-(5)
OAK TREE PERMIT NO. 201400037**

PROJECT DESCRIPTION

The project is the removal of two oak trees and the encroachment into the protected zone of three oak trees by the demolition of an existing one-story single family residence and the building of a new two-story residence ("Project") on a property located at 849 Michigan Blvd in the unincorporated community of East Pasadena ("Project Site") in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.56.2060, 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. 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. 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.

If any 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. 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.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. 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").
14. 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.
15. 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.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

16. This grant shall authorize the removal of two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 1 and 2 on the applicant's site plan and Oak Tree Report, as well as the encroachment into the protected zone of three (3) trees of the Oak genus identified as Tree Numbers 3, 4 and 5 on the applicant's site plan and Oak Tree Report, by the demolition of the existing single family residence and the construction of the new, two-story residence with a three-car garage, pool and cabana.
17. This permit shall not be effective until a plot plan (currently filed as Plot Plan No. 201401052) is approved for the demolition of the existing single family residence and the construction of the new, two-story residence with a three-car garage, pool and cabana, demonstrating the need to encroach upon the said trees.
18. 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.

19. 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.
20. 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.
21. The installation of chain link fencing not less than four feet in height around the protected zone of trees shown on the site plan. Said fencing shall be in place and inspected by the forester and fire warden prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the director or the forester and fire warden.
22. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the county forester and fire warden the implementation of all conditions imposed in connection with the applicant's oak tree permit.
23. That any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, be limited to hand tools or small hand-power equipment.
24. That trees on other portions of the subject property not included within the site plan also be protected with chain link fencing thus restricting storage, machinery storage or access during construction.
25. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the site plan in a manner acceptable to the director.

26. That corrective measures for trees noted on the oak tree report as requiring remedial action be taken, including pest control, pruning, fertilizing and similar actions.
27. That, to the extent feasible as determined by the director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure.
28. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree permit and conditions are in the possession of a responsible person and also available at the site.
29. The permittee shall comply with all conditions and requirements contained in the County Forester and Fire Warden, Forestry Division, letter dated April 29, 2015.

Attachments:

County Forester's Letter dated April 29, 2015.
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

April 29, 2015

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

Dear Maria Masis:

**OAK TREE PERMIT NUMBER 2014-00037
PROJECT NUMBER R2014-03021-(5)
849 MICHIGAN BOULEVARD, PASADENA**

We have reviewed the "Request for Oak Tree Permit #2014-00037." The project is located at 849 Michigan Boulevard in the unincorporated area of Pasadena. 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 Michael Crane, the consulting arborist, dated March 1, 2015.

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

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

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

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 two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 1 and 2 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Numbers 3, 4 and 5 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and

stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of four (4) 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.

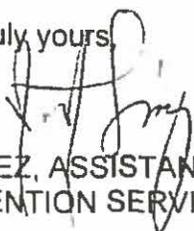
NON-PERMITTED ACTIONS AND VIOLATIONS:

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 a County Forester inspection, 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 TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

2 Removal 3 Encroachment 3 To Remain 5 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.

THE DESIGN HAS PREVENTED EXCAVATION IN ROOT PLATE AREAS. ROOT ZONE IMPACTS WILL BE TOLERABLE

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 PROPERTY IS A FLAT LOT WITH NO DRAINAGE ISSUES

C. That in addition to the above facts, at least one of the following findings must apply:

1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or other danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.
4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

3. BOTH TREES PROPOSED FOR REMOVAL HAVE DEFECTS THAT ARE UNCORRECTABLE, AND THESE DEFECTS GREATLY ELEVATE EACH TREE'S RISK OF HAZARD. NEITHER TREE IS A GOOD CANDIDATE FOR PRESERVATION

Photographs for R2014-03021/OTP No. 201400037

(as of June 18, 2015)

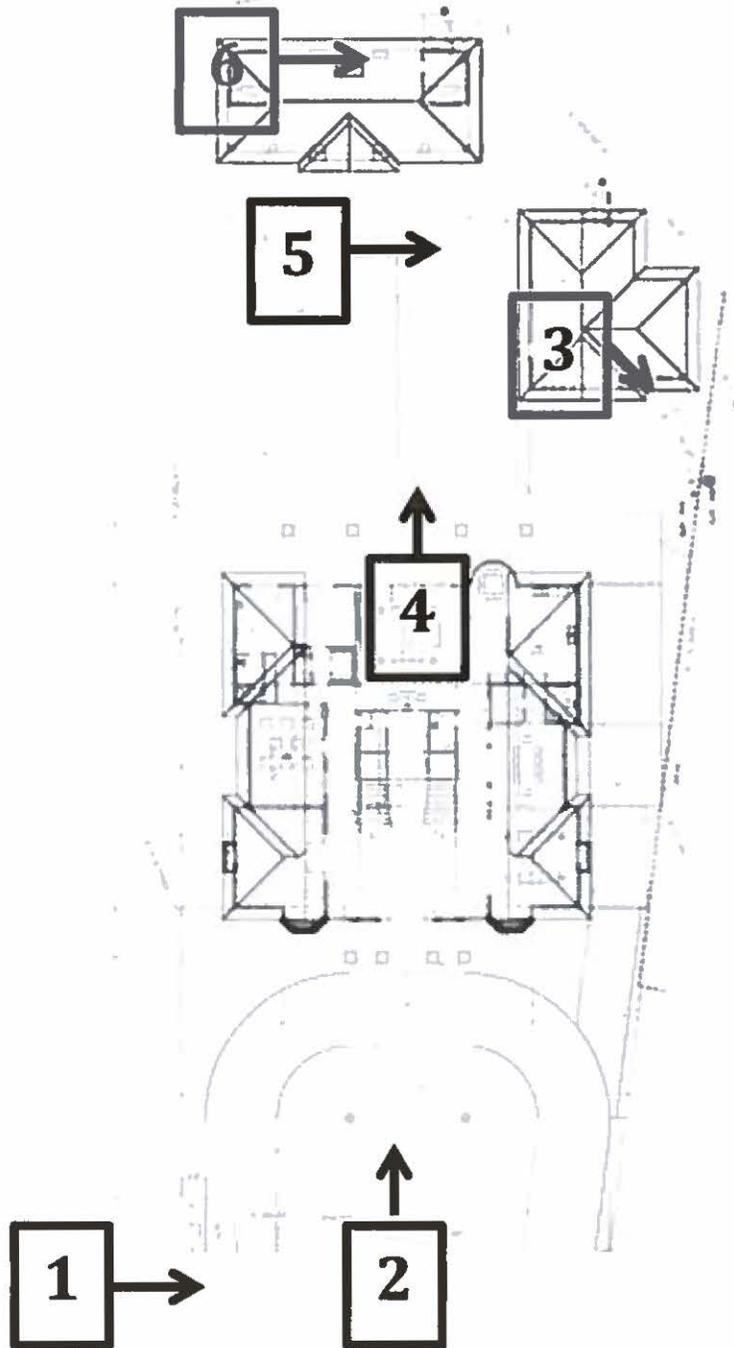
View of property from Michigan Boulevard

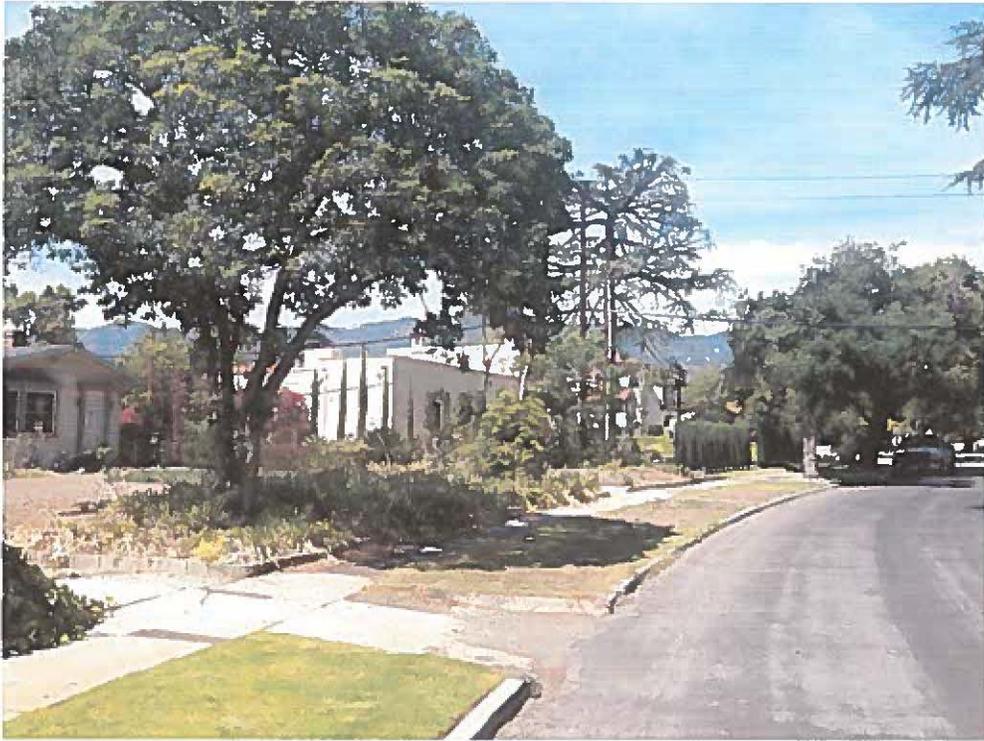


View of neighboring properties to the North



Photo Key: 849 Michigan Blvd., Pasadena, 91107





ABOVE: Photo 1, Looking north at the parkway area in front of the property from Michigan Blvd. BELOW: Photo 2, Looking west at the front yard area from the street.





ABOVE: Photo 3, Looking northeast at Trees #2 and #5 from the back yard. BELOW: Photo 4, Looking west at a large section of the back yard.





ABOVE: Photo 5, Looking north at Tree #3. BELOW: Photo 6, Looking north at Tree #4





R2014-03021-(5)

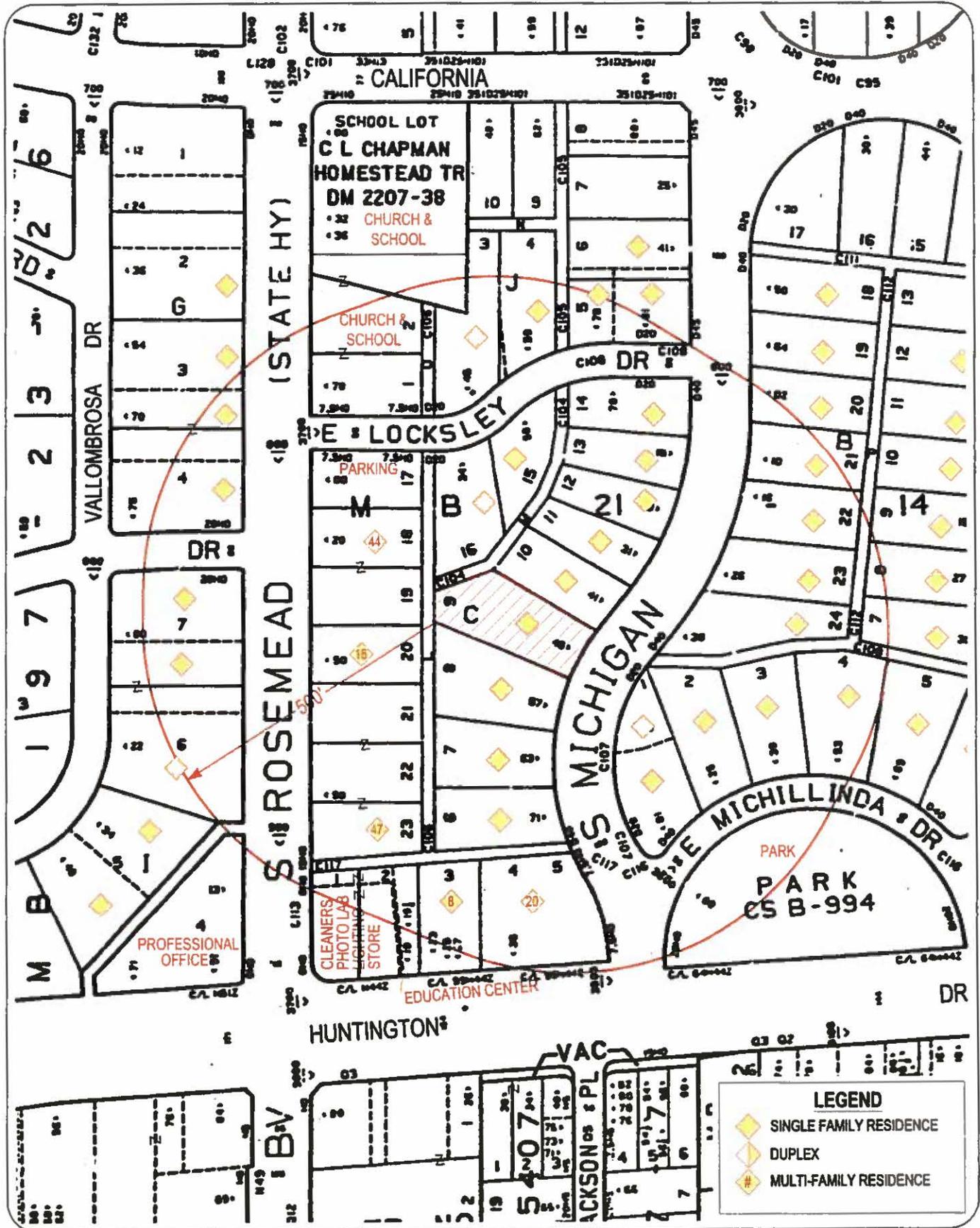
Aerial Image

Printed: May 27, 2015



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PROJECT INFORMATION
 849 MICHIGAN BLVD.
 PASADENA, CA.
 14-456

LANDUSE MAP
 SCALE 1" = 100'
 [Hatched Box] = SUBJECT LOT



Oak Tree Report:
Tree Survey, Impact Analysis,
and Protection Plan

849 Michigan Boulevard
Pasadena, CA 91107

Prepared For: Chris Loh
1704 E. Cortez St.
West Covina, CA 91791
Tel: (626) 447-5958
Email: chris_clo@verizon.net

Prepared By: Michael Crane
Arbor Care, Inc.
P.O. Box 51122
Pasadena, CA 91115
Tel: (626) 737-4007
Fax: (626) 737-4007
Email: info@arborcareinc.net

April, 2014
Revised March 2015

Table of Contents

Summary of Data	1
Background and Purpose of Report	1
Project Location, Description and Tree Ordinance	2
Oak Tree Survey	5
Observations - Protected Tree Health & Characteristics Matrix	6
Analysis – Construction Impacts Matrix	7
Explanation of Construction Impacts	8
Findings & Recommendations	9
Mitigation	9
Further Recommendations	10
Appendix A - Photos	11
Appendix B – Suspended Wall Section	18
Appendix C – Oak Tree Care and Maintenance	19
Author’s Certifications	23
Certification of Performance	24
Topographic Site Plan	Pocket at back

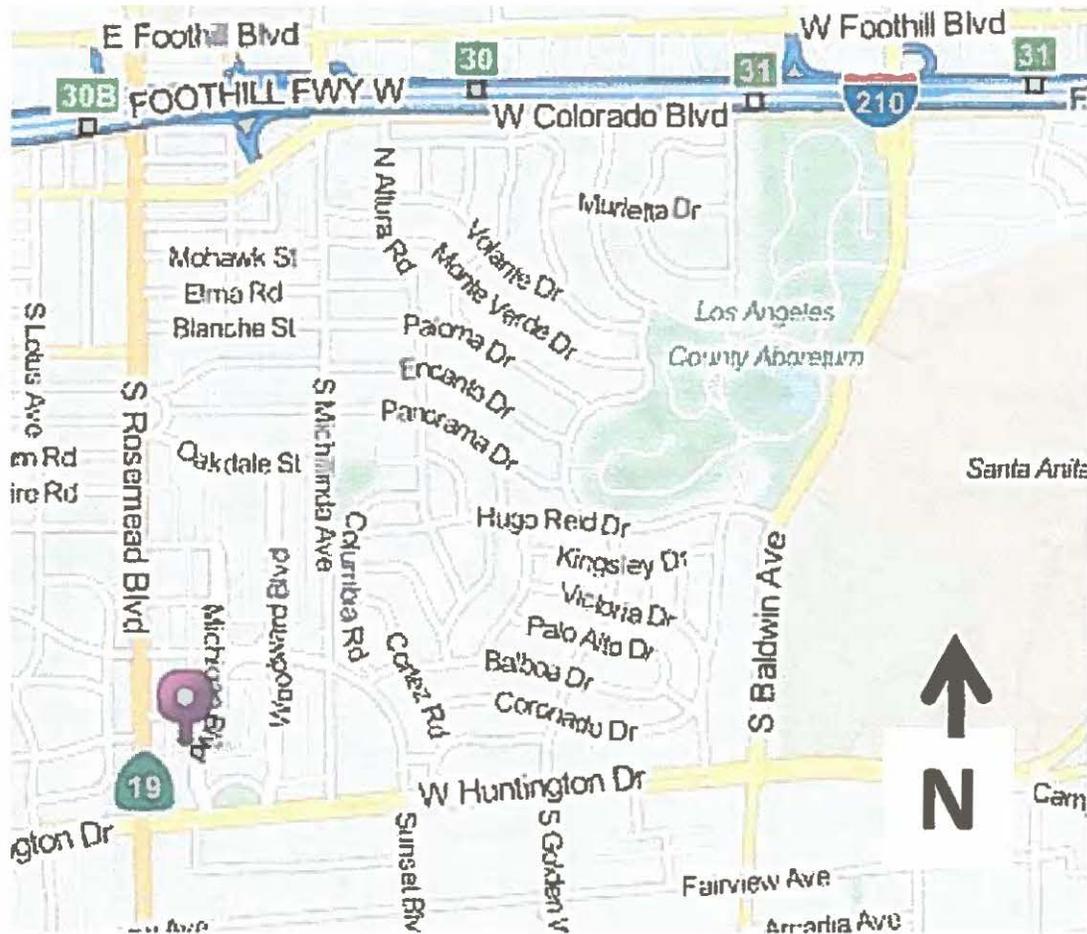
SUMMARY OF DATA

Total number of live Protected Oak Trees on property including street trees located in the adjacent public right-of-way area	4
Total number of off-site Protected Oak Trees with Required Protection Zones encroaching onto the property, including nearby street trees.	1
<hr/>	
Total number of live Protected Oak Trees to be preserved	3
Total number of live Protected Oak Trees to be removed	2
Total number of Protected Trees to be relocated to on-site locations	0
<hr/>	
Total number of Protected Oak Trees to be impacted by construction within Required Protected Zone (definition on page 4)	3
Total number of live protected trees with no Required Protected Zone encroachments	0
Total number of proposed mitigation trees to be planted on site	4

BACKGROUND & PURPOSE

The project manager and architect, Mr. Chris Loh, of CL Design/Builders, Inc., retained me, to be the consulting arborist for the redevelopment of the property located at 849 Michigan Blvd., Pasadena. There are several Protected Oak Trees located on the property, and off-site, which have a portion of dripline extending over the property. The proposed construction will occur within the Protection Zones of the trees and this report will serve to both notify the County of Los Angeles Planning Department of the extent of the potential impacts as well as to inform the builder of the proper protection measures which must be taken in order to preserve the oak trees. As part of my preparation for this report I made a site visit to the property on April 8, 2014. I met with Mr. Loh at that time to view and discuss the proposed construction plans as they relate to the preservation of the Protected Oak Trees. An original Oak Tree report was prepared in April 2014 but revisions have been made to it according to design changes that reduced Protection Zone encroachments and the proposed planting locations of mitigation trees.

PROJECT LOCATION, DESCRIPTION & TREE ORDINANCE

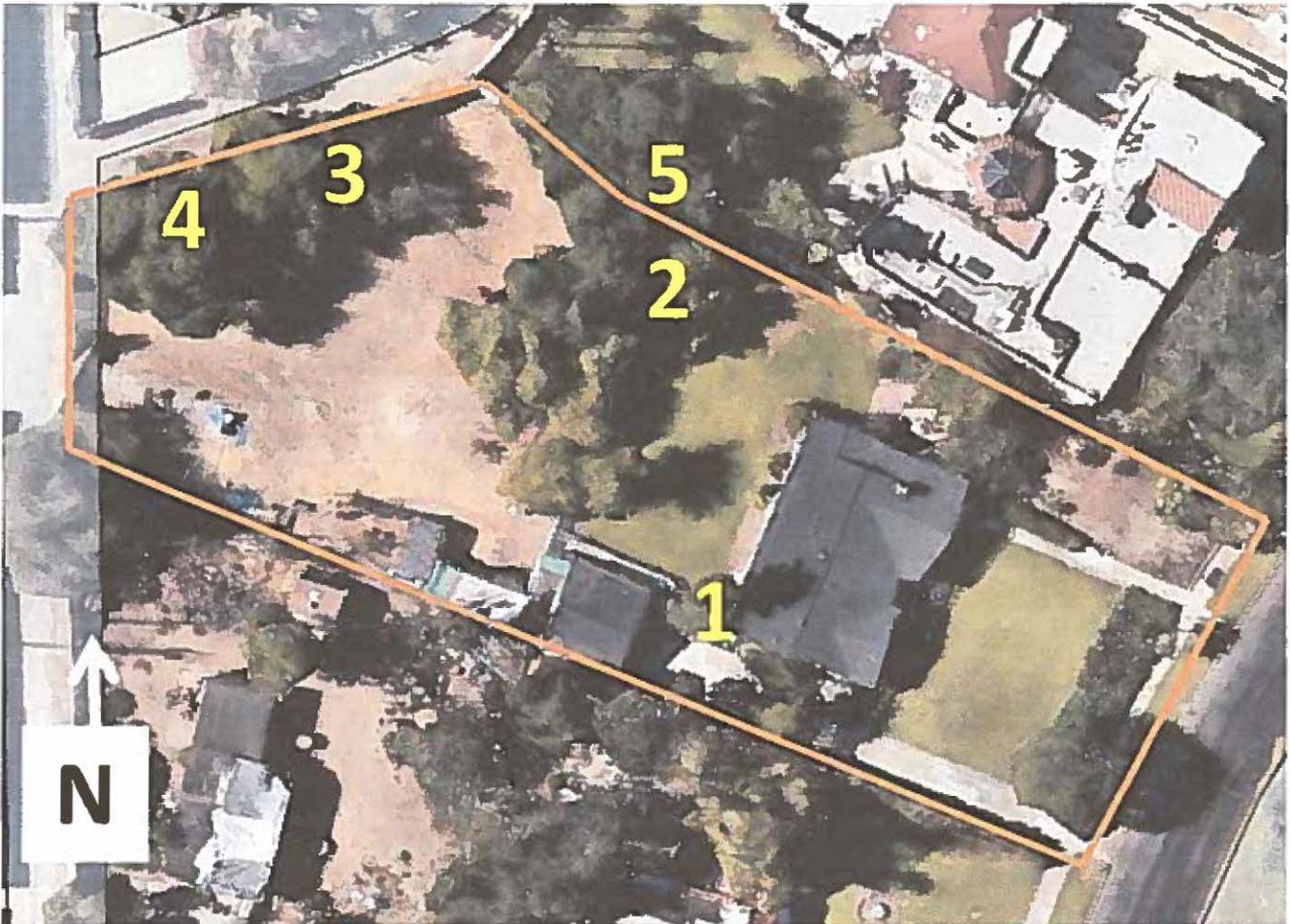


849 Michigan Blvd. is located in the Chapman Woods neighborhood, one block east of S. Rosemead Blvd., just north of W. Huntington Dr. Above map courtesy of Mapquest.com.

Project and Site Description

The property consists of a one-story single-family home that appears to be in poor condition. The project consists of demolishing the home and building a new single family home. The new home will have a larger footprint than the existing one and will be two stories. Additionally, a pool and pool cabana will be built in the back yard. The aerial view on the next page (courtesy of Google maps) shows the approximate property lines and existing tree canopy.

The landscape on site is in poor condition. The Protected Oak Trees vary in their ages, structure and apparent health. The entire landscape will be redesigned; and the healthy and structurally sound oaks will be incorporated into the new design.



This aerial view, courtesy of Google Maps, of the property has been illustrated with the approximate boundary lines in orange. The locations of the Protected Oaks are numbered in yellow.

(Excerpts from the) COUNTY OF LOS ANGELES OAK TREE ORDINANCE

22.56.2050 Established – Purpose.

The oak tree permit is established (a) 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 (b) 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. It is the intent of the oak tree permit to maintain and enhance the general health, safety and welfare by assisting in counteracting air pollution and in minimizing soil erosion and other related environmental damage. The oak tree permit is also intended to preserve and enhance property values by conserving and adding to the distinctive and unique aesthetic character of many areas of Los Angeles County in which oak trees are indigenous. The stated objective of the oak tree permit is to preserve and maintain healthy oak trees in the development process. (Ord. 88-0157 § 1, 1988; Ord. 82-0168 § 2 (part), 1982.)

22.56.2060 Damaging or removing oak trees prohibited -- Permit requirements.

A. Except as otherwise provided in Section 22.56.2070, 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 (a) 25 inches or more in circumference (eight inches in diameter) as measured four and one-half feet above mean natural grade; in the case of an oak with more than one trunk, whose combined circumference of any two trunks is at least 38 inches (12 inches in diameter) as measured four and one half feet above mean natural grade, on any lot or parcel of land within the unincorporated area of Los Angeles County, or (b) any tree that has been provided as a replacement tree, pursuant to Section 22.56.2180, on any lot or parcel of land within the unincorporated area of Los Angeles County, unless an oak tree permit is first obtained as provided by this Part 16.

B. "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.

C. "Protected zone," as used in this Part 16, shall mean that area within the dripline of an oak tree and extending therefrom to a point at least five feet outside the dripline, or 15 feet from the trunks of a tree, whichever distance is greater. (Ord. 88-0157 § 2, 1988; Ord. 82-0168 § 2 (part), 1982.)

22.56.2180 Additional conditions imposed when.

The hearing officer or the director or 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 by Section 22.56.2100. These conditions may involve, but are not limited to, the following:

A. The replacement of oak trees proposed for removal or relocation with trees of a suitable type, size, number, location and date of planting. In determining whether replacement should be required, the hearing officer or the director or commission shall consider but is not limited to the following factors:

1. The vegetative character of the surrounding area,
2. The number of oak trees subject to this Part 16 which are proposed to be removed in relation to the number of such trees currently existing on the subject property,
3. The anticipated effectiveness of the replacement of oak trees, as determined by the oak tree report submitted by the applicant and evaluated by the county forester and fire warden,
4. The development plans submitted by the applicant for the proposed construction or the proposed use of the subject property,
5. The relocation of trees approved for removal shall not be deemed a mitigating factor in determining the need for replacement trees,
6. a. Required replacement trees shall consist exclusively of indigenous oak trees and shall be in the ratio of at least two to one. Each replacement tree shall be at least a 15-gallon size specimen and measure at least one inch in diameter one foot above the base. The hearing officer, director or commission may, in lieu of this requirement, require the substitution of one larger container specimen for each oak tree to be replaced, where, in its opinion, the substitution is feasible and conditions warrant such greater substitution,
b. Replacement trees shall be properly cared for and maintained for a period of two years and replaced by the applicant or permittee if mortality occurs within that period,
c. Where feasible replacement trees should consist exclusively of indigenous oak trees and certified as being grown from a seed source collected in Los Angeles or Ventura Counties,
d. Replacement trees shall be planted and maintained on the subject property and, if feasible, in the same general area where the trees were removed. The process of replacement of oak trees shall be supervised in the field by a person who, in the opinion of the county forester and fire warden, has expertise in the planting, care and maintenance of oaks.

This table includes all native (Protected) oak species that are located on the property; and off-site oak trees that have a portion of their Required Protection Zone encroaching onto the property. Off-site trees have an (os) next to their tree number. It includes data relevant to the County's Oak Tree Ordinance to determine each tree's protection status. The tree numbers correspond to each tree's location plotted on the site plan included in this report. The same tree numbers, stamped on a metal tag, have been physically placed on each tree.

OAK TREE SURVEY

Tree #	Species	Single (S) or Multi (M) trunked	Trunk Diameter (DBH)	Protected Specimen	Non-Protected Specimen
1	<i>Quercus agrifolia</i>	S	15"	X	
2	<i>Quercus agrifolia</i>	S	22"	X	
3	<i>Quercus agrifolia</i>	S	15"	X	
4	<i>Quercus agrifolia</i>	S	20"	X	
5 (os)	<i>Quercus agrifolia</i>	S	30"	X	

OBSERVATIONS

This chart includes all Protected Trees that are either located on or have Required Protection Zones encroaching onto the property. Off-site trees are indicated with an "os" next to the tree number. It provides physical data collected from field observations. The trees have been surveyed and numbers correspond to the Site Plan included in this report.

TREE CHARACTERISTICS & HEALTH MATRIX

CHARACTERISTICS											HEALTH												
TREE NUMBER	SPECIES	SIZE			FORM		CROWN CLASS			AGE CLASS			FOLIAGE DENSITY			SHOOT GROWTH			WOUND DEFENSE			VIGOR CLASS	
		TRUNK DIAMETER (INCHES)	APPROXIMATE HEIGHT (FEET)	AVERAGE SPREAD (FEET)	SYMMETRIC	ASYMMETRIC	DOMINANT	CO-DOMINANT	SUPPRESSED	YOUNG	MATURE	OVERMATURE	NORMAL	SPARSE	DISEASE OR INSECT DAMAGE PRESENT	AVERAGE	POOR	TWIG DIEBACK	NORMAL	POOR	WOOD DECAY	GOOD	POOR
1	Quercus agrifolia	15	30	35	X		X			X			X			X	X		X	X		X	X
2	Quercus agrifolia	22	35	30		X		X		X		X			X			X			X		
3	Quercus agrifolia	15	20	25	X			X		X			X		X	X		X				X	
4	Quercus agrifolia	20	40	40	X			X		X		X			X			X			X		
5 os	Quercus agrifolia	30	40	60	X		X			X		X			X			X			X		

ANALYSIS

This chart includes all Protected Oak Trees that are either located or encroaching on the property. It provides analytical data collected from the proposed construction plans. The trees numbers correspond to the tag number and Site Plan included in this report.

CONSTRUCTION IMPACTS MATRIX

TREE NUMBER	TREE SPECIES	SIZE & CONDITION		ROOTZONE IMPACTS							REQUIRED PRUNING OF LIVE CROWN					
		TRUNK DIAMETER (DBH)	CONDITION	Sided of tree where excavation (six inches or deeper) will occur	Sides where excavation impacts are buffered by existing infrastructure	Excavation will remain 15 feet from trunk or 5 feet beyond the dripline	Excavation will remain a distance of at least 3 X DBH from trunk	Excavation will encroach the root plate (3 X DBH) from trunk	Removal or Relocation	Additional light grading less than 6" deep to occur within dripline	Estimated % of total root mass to be removed or severed	No Pruning Required	Pruning not to exceed 10%	Pruning not to exceed 30%	Number of cuts larger than 3" in diameter required	Diameter of cuts for branch removals
1	Quercus agrifolia	15	Poor	-	-					-	-				-	-
2	Quercus agrifolia	22	Poor	-	-					-	-				-	-
3	Quercus agrifolia	15	Poor	-	-					Yes	20				-	-
4	Quercus agrifolia	20	Good	-	-					Yes	35				2	4,4
5	Quercus agrifolia	30	Good	S	S					Yes	10				-	-

EXPLANATION OF CONSTRUCTION IMPACTS

Analysis regarding rootzone impacts are based on the type of impact, e.g, soil compaction, grading, and excavation; as well as the distance from the trunk that the impacts will occur. It is commonly accepted among professional arborists that a distance equal to three times a trunk's diameter contains the structural roots responsible for keeping the tree upright. This critical rootzone area is defined as the root plate. Beyond the root plate the roots typically taper off into smaller, less significant sizes. These smaller roots are usually two inches in diameter or smaller and make up the rootmass responsible for water and nutrient uptake. Although roots of these sizes can be cut without significantly impacting health and stability it is advised that no more than 30 percent of the rootmass within the dripline is severed. The bulk of the rootmass is located within the top three feet of soil and root growth slows or halts when soil bulk density exceeds 1.60 g/cm^3 for most soils.

Tree #1- 15" coast live oak: This tree has obvious health and structural problems. A very advanced canker rot is apparent on the trunk. The primary symptom of this is deep horizontal cracks that advance well past the bark, into the vascular cambium. Most of the lower branches have been removed which has almost completely diminished the tree's form. Its live crown ratio is less than 30% and a trunk failure is likely to occur due to this structural defect. The tree is not a good candidate for preservation and the footprint of the new house has been designed to be located where the tree is. Removal and mitigation is proposed.

Tree #2- 22" coast live oak: This tree has very poor structure. It is located on the north property line and awkwardly leans towards the south at a 45° angle. All of the lower branches in the lower two thirds of the crown have been removed. The result of this is a crown that is overextended with excessive end-weight. Reduction pruning is not possible as there are no laterals to cut back to, and propping or cabling would be unrealistic to support a load this great. The tree is a considerable risk. Removal and mitigation is proposed.

Tree #3- 15" coast live oak: This tree is in poor health, with one half of its crown showing advanced branch dieback. The required overexcavation for the foundation of the garage will encroach the Protection Zone, as will the construction of a new property line fence. The excavation for the foundation will come within 15 feet of the trunk on its east side, which is well outside of the critical root zone, or root plate. The property line fence will be a concrete block wall with a continuous footing. The wall's footing is planned to be interrupted with a section suspended on a grade beam (see Appendix B for detail). This will greatly reduce the percentage of root mass that will be removed. No pruning of the live crown is required to complete the work, but there is a considerable amount of deadwood in the crown that should be removed nonetheless.

Tree #4- 20" coast live oak: Similar to Tree #3, the required overexcavation for the foundation of the pool house will encroach the Protection Zone, as will the construction of the new property line fence. The excavation for the foundation will come within nine feet of the trunk on its east side, which is outside of the critical root zone, known as the root plate. The property line wall will be interrupted with a section suspended on a grade beam. Crown raising type pruning will be required on the east side to accommodate the roofline of the pool house. Two removal cuts will accomplish the pruning objectives. No more than 10% of the live crown will be removed.

Tree #5- 30" coast live oak: Located off-site on the property to the north. A portion of the new driveway will encroach within the Protection Zone. The tree's rootzone is buffered by the existing concrete block wall, which has a continuous footing. The wall will remain and it is any significant roots of the tree will be encountered and cut for the driveway grading.

FINDINGS & RECOMMENDATIONS

Both of the two trees proposed for removal, Trees #1 and #2, have considerable structural defects and are not good candidate for preservation. Removal and mitigation provides the best solution for risk reduction and proliferation of healthy oaks on site.

The encroachments that are planned to occur on Trees #3 and #4 are tolerable. Root pruning will be limited to areas outside of the critical root plates and total estimated root mass removal is within an acceptable range. Nevertheless, The required excavation near these trees, within the Protection Zones shall be done by hand and under the monitoring of the consultant. This is to ensure that the minimum amount of required root pruning occurs and that the roots are cut precisely and cleanly; and that the exposed rootmasses can be adequately covered and protected after the excavation occurs.

Pruning can be done to industry standards and will not remove excessive amounts of live crown.

Defining Tree Protection Zones with fences will be useful mostly to prevent unnecessary soil compaction; and control the storage and washing-out of construction related materials such as cement, paints and solvents.

MITIGATION

Trees #1 and #2 are proposed for removal and mitigation. Each tree is proposed to be mitigated at 2:1 with #15 (15 Gal.) container, nursery grown coast live oaks. All four mitigation trees will be planted on the property. Two trees will go in the front yard area where no trees currently exist. The other two trees will be planted on near the west property line, behind the pool house. All four trees will have enough space to form full, symmetrical crowns. The planting locations are identified on the site plan included in this report.

FURTHER RECOMMENDATIONS

- Place protective fences to establish Tree Protection Zones. The fences may be constructed with orange plastic type barrier material set on wood or metal posts and attached with zip-ties or bailing wire. **The locations of the protective fences are drawn with red lines on the Site Plan included in this report. They show the placements for the Demolition and grading phase.**
- Maintain the fences throughout the completion of the project. No staging of materials or equipment or washing-out is to occur within the fenced Protected Zones
- The main haul route, parking area and staging/storage area should be in the existing driveway area along the south side of the property and in the non-fenced areas of the front yard and back yards.
- Supplemental irrigation will be required on Trees #3 and #4 throughout the construction to compensate for the rootmass loss. All irrigation shall be approved by the consultant.
- Mitigation trees shall be planted towards the end of the project, during the landscape construction and installation phase.
- If any injury whatsoever should occur to the oak tree or any other preserved tree, call the consulting arborist immediately. Timeliness is critical to being able to provide the best mitigation treatment for injuries.
- Refer to the Oak Tree Care and Maintenance Guide (Appendix C), Provided by the County of Los Angeles Fire Department, Environmental Review Unit, for landscaping recommendations and future care requirements.

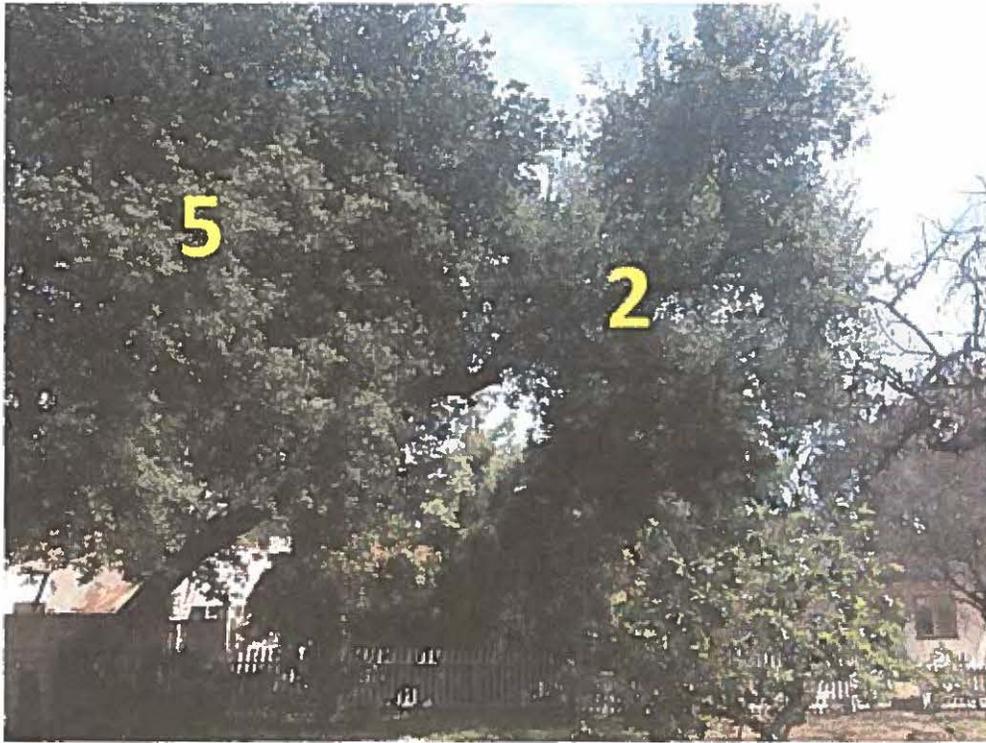
APPENDIX A - Photos



PHOTO: looking north at Tree #1. Most of the branches have been removed and the tree has very poor structure and live crown ratio. It is proposed for removal.



PHOTO: The trunk of Tree #1. The deep horizontal cracking of the bark is symptomatic of canker rot. This condition typically begins near the soil level. It has advanced several feet up the trunk. The pathogen will likely kill the tree or cause extensive decay.



ABOVE: Tree #2 is leaning excessively. It is overextended and overloaded at the top of the crown, but reduction pruning isn't possible due to past pruning. BELOW: It has grown suppressed to the off-site Tree #5.

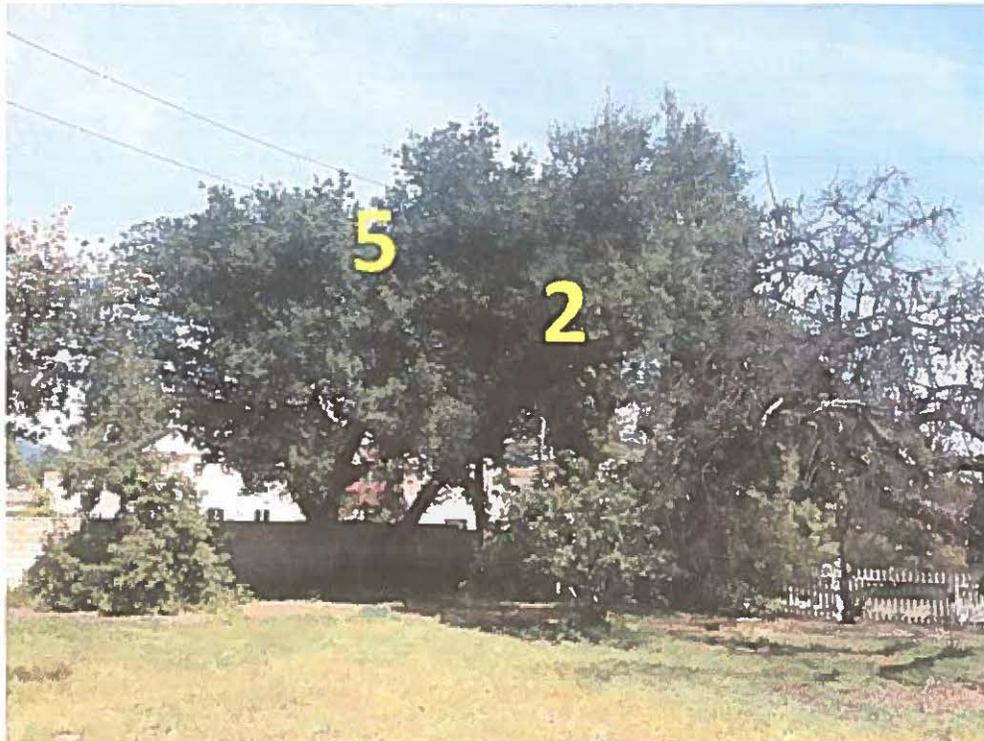
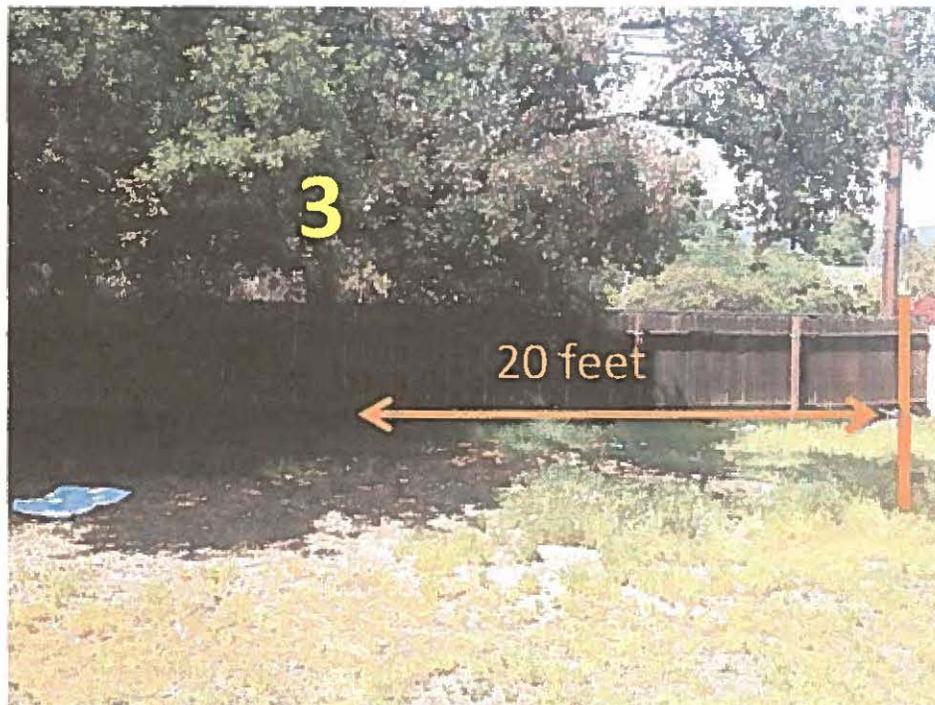




PHOTO: Tree #2 Is located on the property line and a block wall has been built around it. The entire crown of the tree is located over the subject property.



ABOVE: Looking north at Tree #3. The tree is in poor condition, with branch dieback on the right (east) side of the crown. BELOW: The garage will be built on the east side, 15 feet from the trunk. The wood fence will be replaced with a block wall with a suspended section.





ABOVE: Looking northwest at Tree #4. **BELOW:** The excavation for the pool house will come as close as nine feet from the trunk on the east side. Some crown raising type pruning will be required to accommodate the roofline.



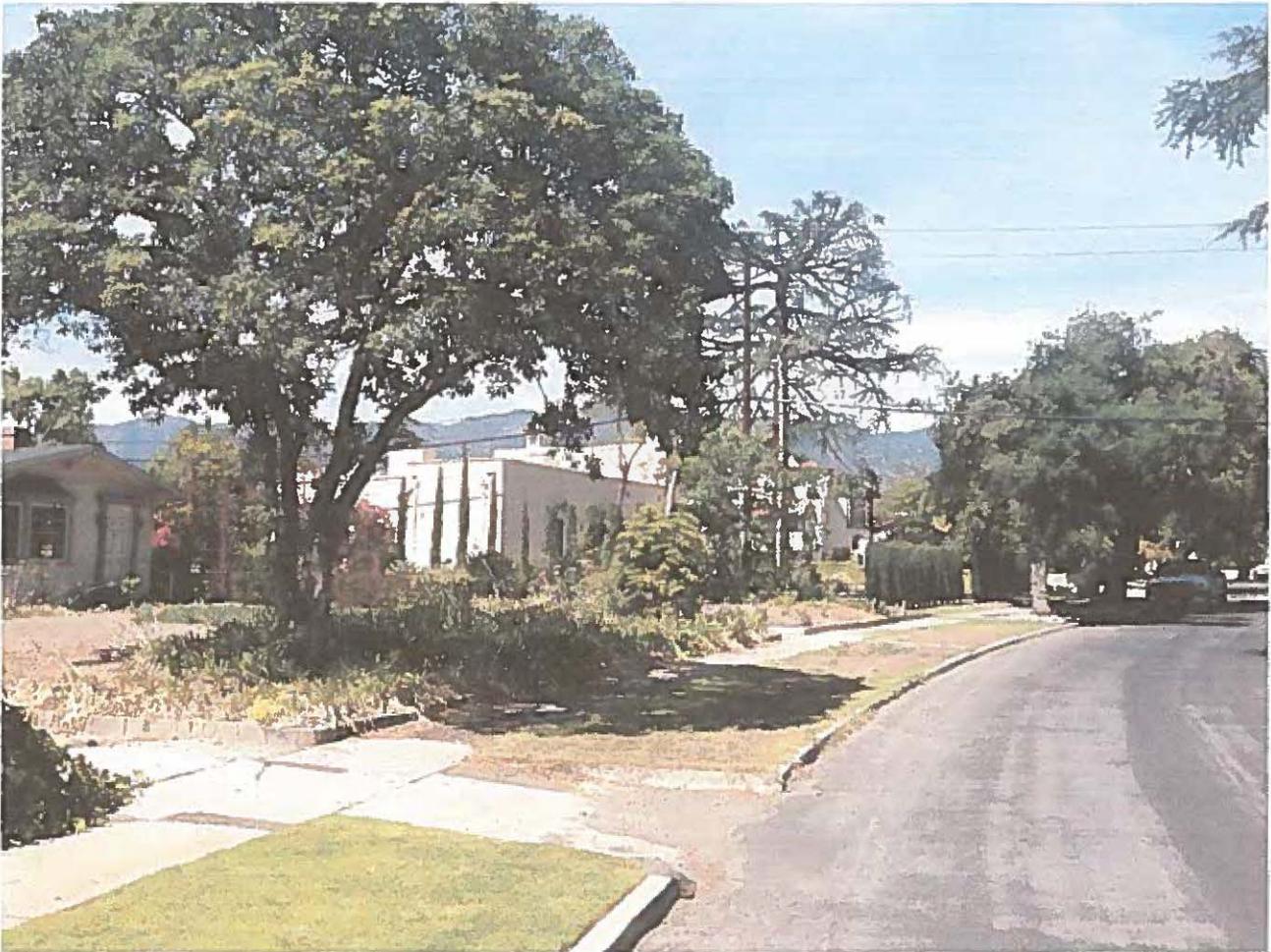
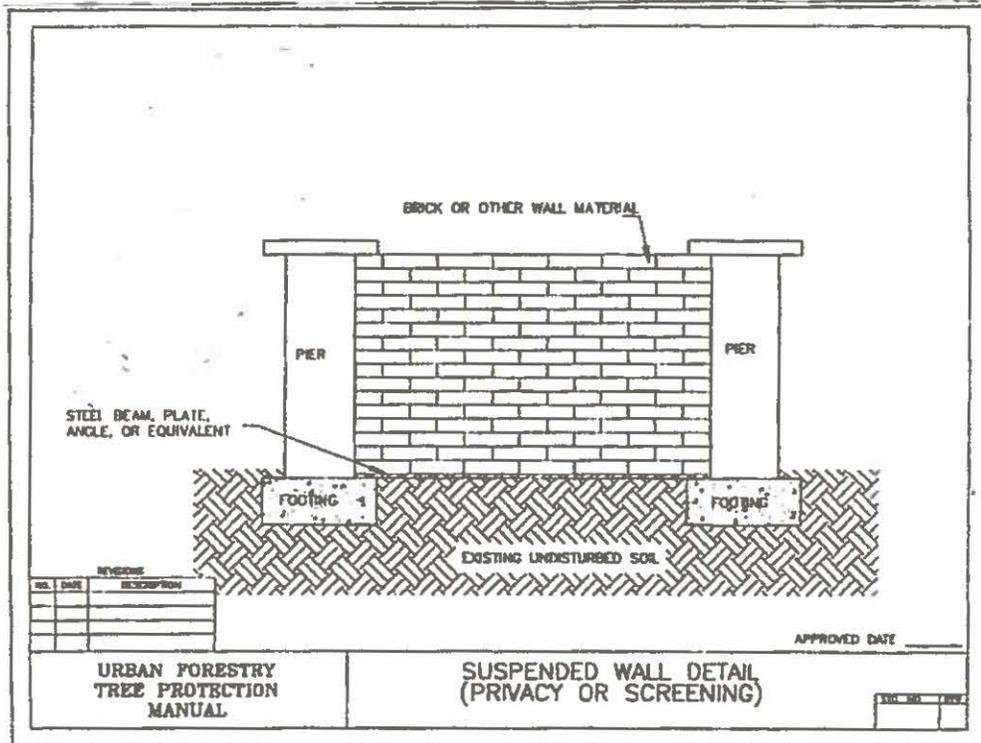


PHOTO: There is one non-protected Victorian Box (*Pittosporum undulatum*) located in the front yard and the parkway strip in front of the property is completely absent of trees. Two of the four proposed mitigation trees can be planted in the front yard area and will have ample space to mature into dominant-canopied specimens.

APPENDIX B - Suspended Wall Section

The custom footing made by securing a metal grade set on grade between two piers allows the wall to be built while bridging over the critical root zone of the tree. The detail of this wall section is shown on the next page. Note that this specification is for detail only. The footing spacing and dimensions related to structural integrity of the wall are not addressed in this detail. Below is a photo of a completed suspended wall section.



APPENDIX C – Oak Tree Care and Maintenance

Provided by the County of Los Angeles Fire Department, Environmental Review Unit

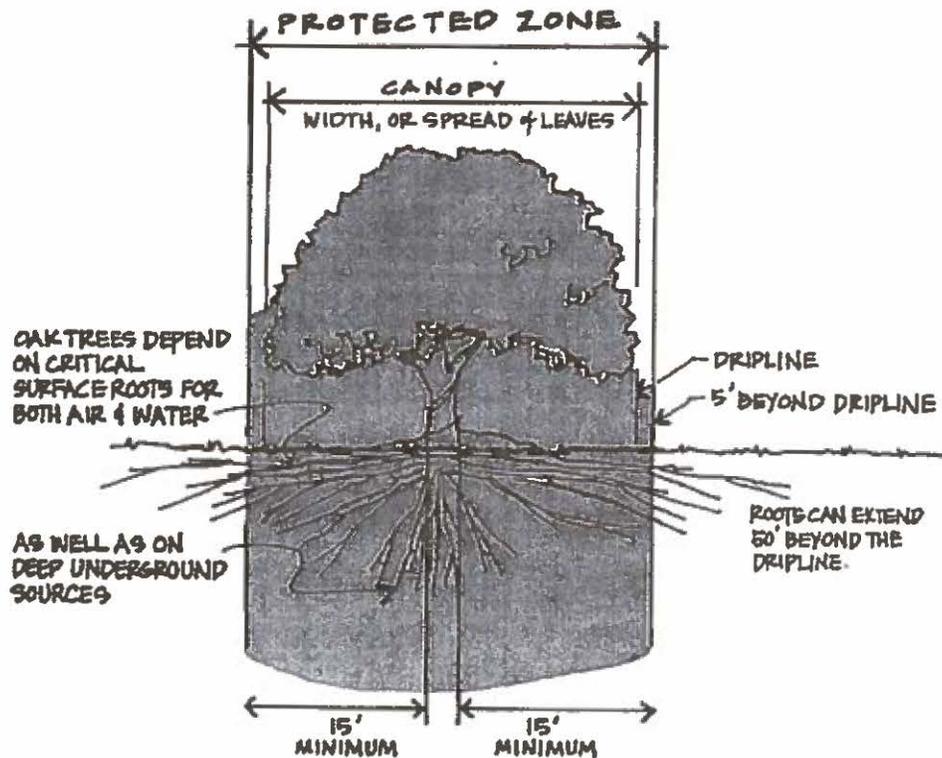
THE PROTECTED ZONE

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 be 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.

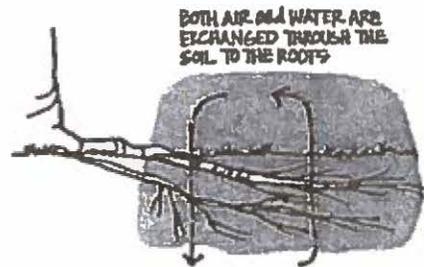
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

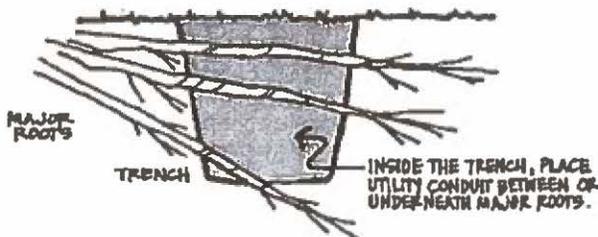
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

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.

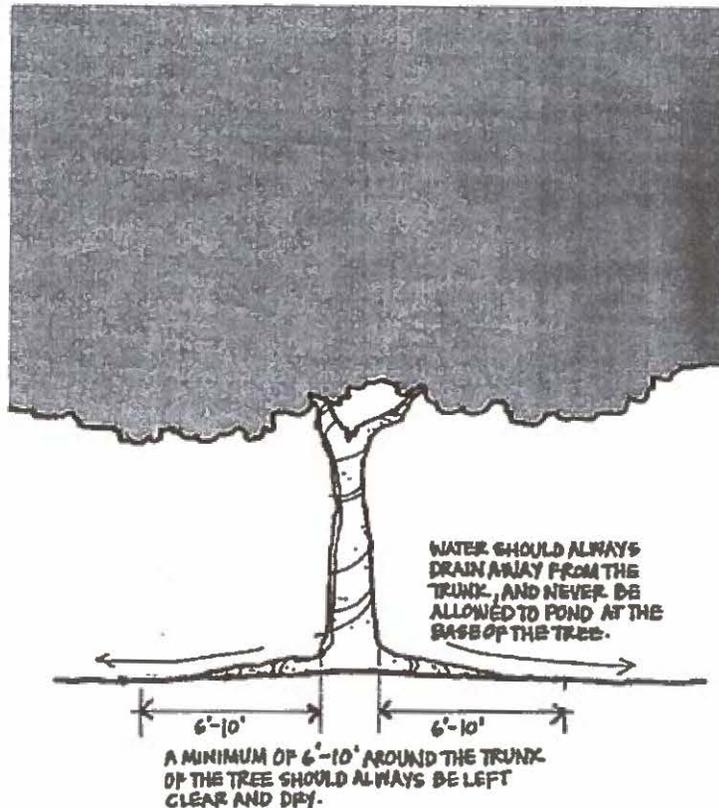
Pruning

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 8 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
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera spp.</i> Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> 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.



International Society of Arboriculture™
Tree Risk Assessment Qualification

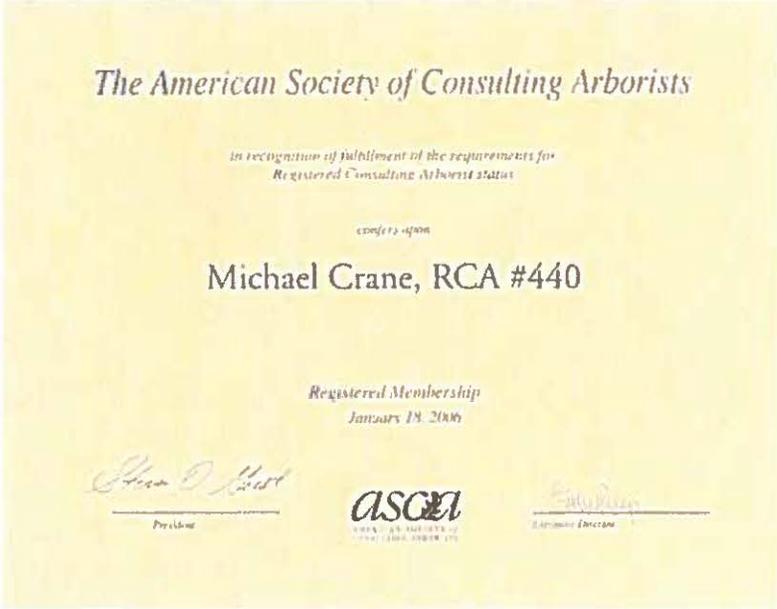
Michael J Crane

Having successfully completed the requirements established by the Certification Board of the International Society of Arboriculture,™ the above named is hereby recognized as holding the ISA Tree Risk Assessment Qualification

R. Glenn
Chair, Certification Board
International Society of Arboriculture

J. S. ...
Joe Sorensen, Executive Director
International Society of Arboriculture

December 31, 2015
Expiration Date



The American Society of Consulting Arborists

in recognition of fulfillment of the requirements for
Registered Consulting Arborist status

confers upon

Michael Crane, RCA #440

Registered Membership
January 19, 2006

John D. ...
President



William ...
Executive Director



DEPARTMENT OF PESTICIDE REGULATION
LICENSING/CERTIFICATION PROGRAM



AGRICULTURAL PEST CONTROL ADVISER LICENSE

DATE OF ISSUE
01/01/2013

VALID THROUGH
12/31/2014

PCA 75893
MICHAEL J CRANE
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International Society of Arboriculture
Board Certified Master Arborist

Michael J. Crane

Having successfully completed the requirements established by the Certification Board of the International Society of Arboriculture, the above named is hereby recognized as an ISA Board Certified Master Arborist

R. Glenn
Certification Board Chair
International Society of Arboriculture

J. Sorensen
Joe Sorensen, Executive Director
International Society of Arboriculture

WE-06A30 Nov 8, 2008 Dec 31, 2015
Certification Board

CERTIFICATION OF PERFORMANCE

I, Michael Crane, certify that:

- I have personally inspected the tree(s) and the property referred to in this report and have stated my findings accurately.
- I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
- The analysis, opinions, and conclusions stated herein are my own and are based on current scientific procedures and facts.
- My analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices.
- No one provided significant professional assistance to me, except as indicated within the report.
- My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party not upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists and the International Society of Arboriculture. I have been involved in the field of Horticulture in a full-time capacity for a period of more than 20 years.

Signed: _____

Registered Consulting Arborist #440; American Society of Consulting Arborist
Board Certified Master Arborist #WE 6643B; International Society of Arboriculture
Licensed California Agricultural Pest Control Adviser #AA08269

April 10, 2014

Date: _____

