

Hearing Officer Transmittal Checklist

Hearing Date
04/05/2016
Agenda Item No.
14.

Project Number: R2014-03440-(5)
Case(s): Oak Tree Permit 201500009
Planner: Jolee Hui

- 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

Reviewed By: 



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

PROJECT NUMBER
 R2014-03440-(5)

HEARING DATE
 April 5, 2016

PROJECT SUMMARY

REQUESTED ENTITLEMENTS
 Oak Tree Permit No. 201500009
 Site Plan Review No. 201401199

OWNER / APPLICANT

Ani Aghazaryan/ Haik Patian

MAP/EXHIBIT DATE

08/15/2015

PROJECT OVERVIEW

The applicant requests an oak tree permit to encroach into the protected zone of two oak trees on a single-family residential lot. The two oak trees are identified as Coast Live Oak in the Oak Tree Report dated November 4, 2015, prepared by McKinley & Associates. The two encroachments are associated with the demolition of an existing single-story residence, construction of a new two-story residence, and other associated improvements such as a new driveway. Site Plan Review No. 2014001199 is being concurrently processed for the proposed single-family residence that triggered this oak tree permit request.

LOCATION

2521 Janet Lee Drive
 La Crescenta Community

ACCESS

Janet Lee Drive

ASSESSORS PARCEL NUMBER(S)

5868-002-025

SITE AREA

0.17 acre (7,555 square feet)

GENERAL PLAN / LOCAL PLAN

General Plan 2035

ZONED DISTRICT

La Crescenta

LAND USE DESIGNATION

H9-Residential 9 (0-9 dwellings units/acre)

ZONE

R-1-10,000 (Single-Family Residence — 10,000 square feet required minimum lot area)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

La Crescenta-Montrose CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 4 Categorical Exemption – Minor Alterations to Land

KEY ISSUES

- Consistency with the Los Angeles County General Plan 2035
- 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)

CASE PLANNER:

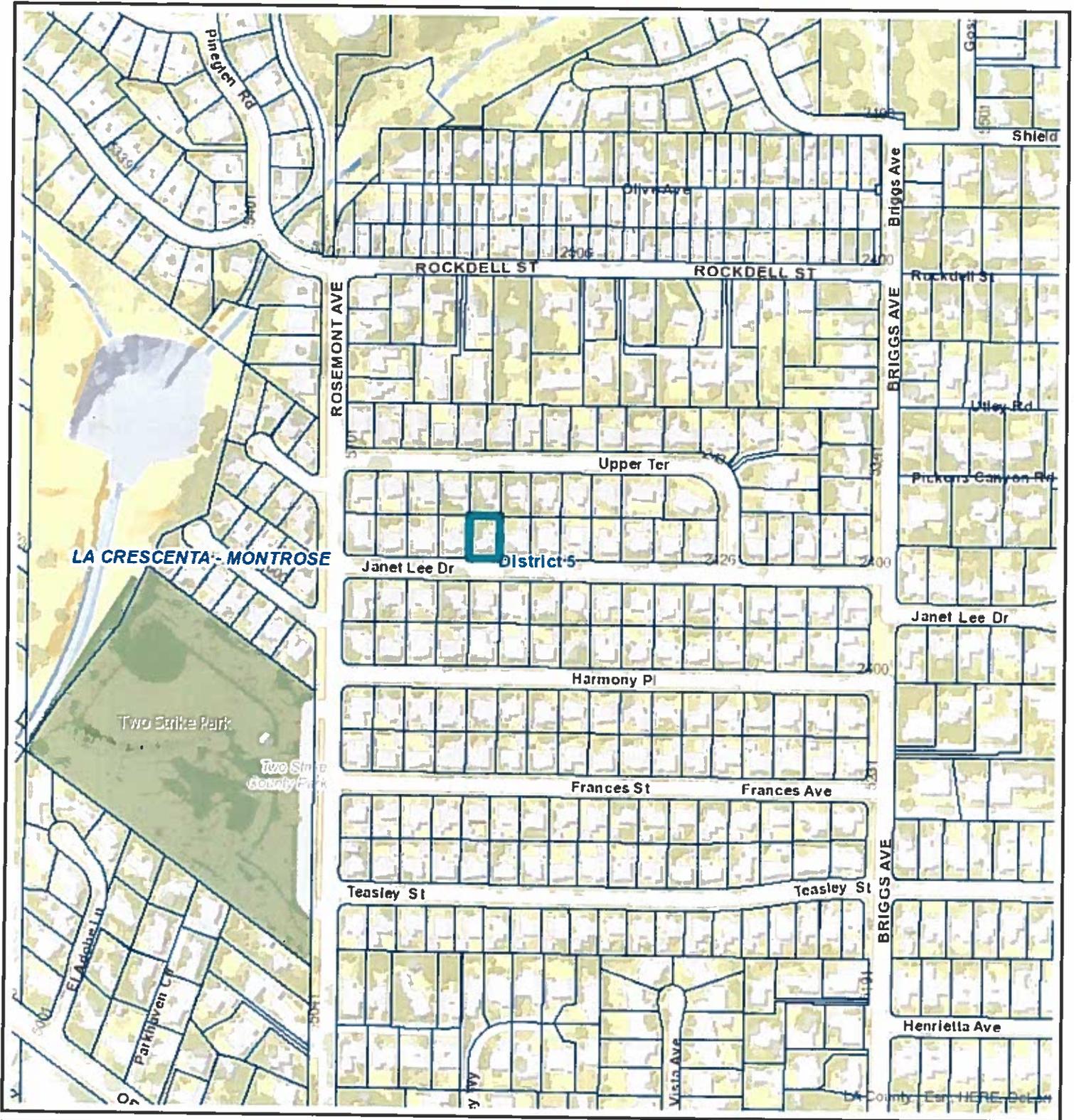
Jolee Hui

PHONE NUMBER:

(213) 974 - 6435

E-MAIL ADDRESS:

jhui@planning.lacounty.gov



Project Location Map

2521 Janet Lee Drive

Printed: Mar 15, 2016



Copyright 2013 - Los Angeles County Department of Regional Planning, GIS Section. Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET3. The map should be interpreted in accordance with the GIS-NET3 Public disclaimer statement. Printed with permission from the Los Angeles County Dept. of Regional Planning. All rights reserved.



ENTITLEMENTS REQUESTED

- Oak Tree Permit (“OTP”) to authorize the encroachment into the protected zones of two oak trees in the R-1-10,000 (Single-Family Residence — 10,000 square feet required minimum lot area) zone pursuant to County Code Section 22.56.2060.

PROJECT DESCRIPTION

The applicant requests an OTP to encroach into the protected zones of two oak trees (“Project”) in association with the construction of a new 3,495-square-foot single-family residence with an attached two-car garage, swimming pool, and paved open seating area. The existing single-family residence along with the detached two-car garage in the rear yard, covered patio, and front porch would be demolished. Other proposed improvements include new paved walkways, driveway, and landscaping. The following project components would encroach into the oak tree protected zones:

- The proposed paved open seating area in the rear yard will encroach into the protected zone of Tree No. 1.
- The new driveway and a 400-square-foot attached garage will be constructed within the protected zone of Tree No. 3.

The Project will not encroach into the protected zone of one off-site oak tree (Tree No. 2), whose protected zone falls outside of the proposed work zone.

The following summarizes the oak trees in the project vicinity identified in the Oak Tree Report dated November 4, 2015 and prepared by William R. McKinley, and verified by the County Fire Department Forester and Fire Warden (“County Forester”):

ID	Genus	Trunk Diameter (DBH)	Location	Request
Tree No. 1	Coast Live Oak (<i>Quercus agrifolia</i>)	21 inches	On-site in rear yard	Encroachment
Tree No. 2	Coast Live Oak (<i>Quercus agrifolia</i>)	16 inches	Off-site on neighbor’s property, immediately north of the subject property.	None
Tree No. 3	Coast Live Oak (<i>Quercus agrifolia</i>)	15 inches	On-site in the east side yard toward front yard.	Encroachment

EXISTING ZONING

The subject property is zoned R-1-10,000. Surrounding properties within a 500-foot radius are zoned as follows:

- North: R-1-10,000
- South: R-1-10,000
- East: R-1-10,000
- West: R-1-10,000

EXISTING LAND USES

The subject property is developed with an one-story single-family residence. Surrounding properties within a 500-foot radius are developed as follows:

- North: Single-family residences
- South: Single-family residences
- East: Single-family residences
- West: Single-family residences

PREVIOUS CASES/ZONING HISTORY

The zoning history of the subject property is as follows:

- Ordinance 2164, adopted by the Board of Supervisors on October 24, 1932, established the subject property in R-1 Zone.
- Ordinance 5616, adopted by the Board of Supervisors on October 17, 1950, amended Ordinance No. 1494 and changed the subject property from R-1 to R-1-10,000 zone.

The history of subject property is as follows:

- The subject property consists of one legal lot (Lot 27) which was created through Tract No. 16889, approved by the Board of Supervisors on May 22, 1951.
- Regional Planning does not have any record of approval for the construction of the existing single-family residence; however, the Los Angeles County Assessor's office has records of the existing residence being constructed in 1954.
- The subject property is located within a Very High Fire Hazard Severity Zone within the Local Responsibility Area subject to the Fuel Modification Plan Review Program by the County Fire Department. On January 26, 2015, the County Fire Department Fuel Modification Unit approved the proposed landscape plan associated with the proposed project.
- Site Plan Review No. 201401199 is a request for the demolition of the existing one-story single-family residence and the construction of a new two-story single-family residence with 3,495-square-foot of floor space, attached two-car garage, and swimming pool. This application is being processed concurrently with this OTP request.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff determines that the Project is eligible for Categorical Exemption (Class 4 Exemption, Minor Alternations to Land) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.

The Project is exempt because the two oak tree encroachments are related to minor alternations in the condition of private land and vegetation that do not involve the removal of healthy mature, scenic trees. No trees will be removed as part of this project. No exceptions to the categorical exemption are found to apply to the Project per Section 15300.2 of the California Code of Regulations. The subject property is not located within or in close proximity to an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. No significant effect due to "unusual circumstances" and no cumulative impact are anticipated. Therefore, County Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The subject property is designated within the Residential 9 (H9) land use category in the General Plan 2035. This designation is intended for single-family residences with densities allowed at zero to nine dwelling units per gross acre. By maintaining the single-family residence, this property will contribute towards the preservation of the single-family neighborhood and is 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 S 3.5: Encourage the use of low-volume and well-maintained vegetation that is compatible with the area's natural vegetation habitats.*

The proposed landscaping at the subject property has been reviewed and approved by the County's Fire Department on January 26, 2015. The selected plant palette is drought tolerant, appropriate for home landscaping, and suitable for areas located in the Very High Fire Hazards Severity Zone. Although encroachment will occur, the three coast live oak trees within the project vicinity would be protected in place and not be removed.

Zoning Ordinance and Development Standards Compliance

The Project proposes encroachment into the protected zones of two on-site oak trees and no trees are proposed to be removed. By preserving the existing oak trees, the Project is preserving the residential character of this community. The County Code prohibits destroying, removing, relocating, damaging or encroaching into a protected zone of any tree of the oak genus which is eight inches more in diameter as measured four and one-half feet above mean natural grade unless an OTP is first obtained as provided by Section 22.56.2060. The protected zone is the area extending five feet beyond the dripline of the tree or 15 feet from the trunk, whichever is greater. Both oak trees are protected under Section 22.56.2060 of the County Code.

Pursuant to Section 22.56.2140, staff referred a copy of the applicant's oak tree report as required by Section 22.56.2090 to the County Forester to review the accuracy of statements contained therein, and to inspect the subject property.

Pursuant to Section 22.20.070 of the County Code, single-family residence is a permitted use in the R-1-10,000 Zone.

La Crescenta-Montrose CSD does not have development standards applicable to the R-1 Zone. The development standards for single-family residences in the R-1 Zone are provided in Section 22.20.105 through Section 22.20.150 of the County Code. The following development standards are applicable to the proposed single-family residence:

Height Limits: The maximum height of every residence and every other building or structure in the R-1 Zone is 35 feet above grade. The proposed single-family residence has a maximum height of 30 feet above finished grade.

Area requirement: R-1-10,000 zone requires a minimum lot size of 10,000 square feet. Although the subject property is less than 10,000 square feet, it is a legal lot created by Tract Map No. 16889 and is consistent with the General Plan 2035 H9 designation that allows up to nine dwelling units per acre.

Yard Requirements: In the R-1 Zone, the minimum depth for the side yard setback is five feet, the minimum depth for front yard setback is 20 feet, and the minimum depth for rear yard setback is 15 feet. The front yard setback at the subject property is 20 feet, east side yard setback is five feet and west side yard setback varies from seven feet to five feet. There is a 36-foot rear yard setback, where a new swimming pool is also proposed with a minimum of a five-foot buffer from any lot line. Section 22.48.150.B. allows swimming pool to be located in the required rear yard setback provided it is not closer than five feet to any lot line.

Site Visit

Staff conducted a site visit at the subject property March 23, 2016 and found that the plans are consistent with the proposed project.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.2130 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 subject property would continue to be used as a single-family residence. Surrounding land uses are all single-family residential. The use on the subject property is compatible with the surrounding neighborhood and no oak tree is proposed to be removed. By preserving the oak trees on-site, the project is preserving the residential character of this community. The two oak tree encroachments will have a negligible effect on the community. The proposed development is also consistent with the zoning ordinance and relevant land use plans.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The County Forester sent a comment letter dated January 5, 2016, which verified the accuracy of the Oak Tree Report, prepared by William R. McKinley and dated

November 7, 2015, is accurate and complete as to the location, size, condition, and species of the oak trees. The County Forester recommends approval of this Project and has recommended conditions of approval, which are included in the Project's conditions.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by 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 R2014-3440-(5), Oak Tree Permit Number 201500009, subject to the attached conditions of approval.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE OAK TREE PERMIT NUMBER 201500009 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jolee Hui, Regional Planning Assistant II, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs and Site Plan
Zoning and Land Use Maps

MM:JH
3/24/2016

**FINDINGS OF HEARING OFFICER AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-03440-(5)
OAK TREE PERMIT NO. 201500009**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. 201500009 ("OTP") on April 5, 2016.
2. The permittee, Ani Aghazaryan ("permittee"), requests an Oak Tree Permit ("OTP") to authorize the encroachment into the protected zones of two oak trees ("Project") on a property located at 2521 Janet Lee Drive (APN 5868-002-025) ("subject property") in the unincorporated community of La Crescenta-Montrose in the R-1-10,000 (Single-Family Residential – 10,000-Square-Foot Minimum Required Area) zone pursuant to Los Angeles County Code ("County Code") Section 22.56.2060.
3. The two oak trees, Tree No. 1 and Tree No. 3, are identified as Coast Live Oak, *Quercus agrifolia*, in the Oak Tree Report dated November 4, 2015 and prepared by William R. McKinley in association with the demolition of an existing single-family residence and construction of a new two-story single-family residence and its associated improvements (RPP 201401199).
4. The subject property is approximately 0.17 acres (7,600 square feet) in size and consists of one legal lot (APN 5868-002-025). The subject property is shaped rectangular and is characterized by gentle sloping topography. The subject property is developed with a 1,380-square-foot single-family residence.
5. The subject property is located in the La Crescenta Zoned District and within the La Crescenta-Montrose Community Standards District.
6. The subject property is designated in the H9 – Residential 9 (0-9 dwelling units per acre) land use category by the General Plan 2035.
7. Surrounding properties within a 500-foot radius are zoned as follows:

North: R-1-10,000
South: R-1-10,000
East: R-1-10,000
West: R-1-10,000
8. All surrounding properties within a 500-foot radius are developed as follows:

North: Single-family residences
South: Single-family residences
East: Single-family residences
West: Single-family residences
9. The subject property was legally created by Tract No. 16889 that was approved by the Board of Supervisors on May 22, 1951 for single-family residential purposes.

10. The Department of Regional Planning does not have any record of the approval for the construction of the existing one-story single-family residence and detached garage. However, the Los Angeles County Assessor's office records of the property indicate that the existing single-family residence was built in 1954.
11. In conjunction with the OTP request, Site Plan Review No. 201401199 is being concurrently processed for the demolition of the existing one-story single-family residence and the construction of a new two-story single-family residence with 3,495-square-foot of floor space, attached two-car garage, new paving for driveway, and swimming pool.
12. The site plan depicts three oak trees and their protected zones within the project vicinity. Tree No. 1 is located in the rear yard and Tree No. 3 is located within the east side yard setback near the front yard. An off-site oak tree, identified as Tree No. 2, is located near the northwest corner of the rear yard within a neighboring property and its protected zone extends into the rear yard of the subject property. The new construction would consist of a two-story single-family residence, along with accessory structures including a swimming, two-car garage, paved open seating area, walkway and driveway improvements. The proposed paved open seating area in the rear yard would have a minor encroachment into the protected zone of Tree No. 1 and the new paved driveway would encroach into the protected zone of the Tree No. 3.
13. The subject property is accessible via a driveway from Janet Lee Drive.
14. The proposed attached two-car garage will provide the primary parking for the single-family residence.
15. Pursuant to County Code Section 22.56.2140, a copy of the applicant's Oak Tree Report as required by Section 22.56.2090 was sent to the County Forester and Fire Warden to review the accuracy of the statements contained therein, and to inspect the project site. Based on comment letter from the County Forester and Fire Warden ("County Forester"), dated January 5, 2016, the Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak tree on the site. The County Forester supports the approval of the Oak Tree Permit, subject to conditions.
16. The Oak Tree Report prepared by William R. McKinley, Consulting Arborist at McKinley and Associates, dated November 4, 2015, demonstrated that the primary encroachment activities are paving of an open seating area in the rear yard and new paving of the driveway. The proposed garage attached to the residence is the new structure closest to Tree No. 3. According to the report, Tree No. 1 appears to be in below average health and condition and Tree No. 3 is slightly below average health and condition.
17. The Project is required to comply with the recommended conditions outlined in the Oak Tree Report dated November 4, 2015 and the conditions of approval and requirements outlined in the County Forester's comment letter dated January 5,

2016. The implementation of these measures will ensure that the Project will not endanger the health of Tree No. 1 and Tree No. 3 on the site. The County Forester's letter and Oak Tree Report is attached to the project Conditions of Approval.

18. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a 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, because the Project involved the encroachment into the protected zones of two oak trees in connection with the construction of a single-family residence and driveway improvements.
19. Pursuant to the provisions of Sections 22.56.2130 and Section 22.60.174 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and DRP website listing.
20. No public comments have been received.

[To be inserted after the public hearing to reflect hearing proceedings.]

21. A duly noticed public hearing was held on April 5, 2016 before the Hearing Officer.
22. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan 2035. The Residential 9 (H9) land use designation is intended for single-family residences with densities allowed at zero to nine dwelling units per acre. The subject property will remain single-family residential and the purpose of the Project is to replace the existing dilapidated single-family residence with a new single-family residence and associated improvements on the driveway and in the rear yard.
23. The Hearing Officer finds that the Project is consistent with the County Code. The R-1-10,000 Zone lists single-family residences as a permitted use. The encroachment within the protected zones of a two oak trees may be authorized with the approval of an OTP pursuant to Section 22.56.2060. La Crescenta-Montrose CSD does not have development standards pertaining to R-1 Zone. Therefore, the Project is required to comply, and meets the development standards of R-1 Zone prescribed in Part 2 of Chapter 22.20 of the County Code.
24. The Hearing Officer finds encroachment into the protected zones of two oak trees is proposed and no other oak tree will be impacted by the encroachment. Therefore, the proposed construction of a two-story residence along with accessory structures and driveway improvements will be accomplished without long-term negative impacts on the oak tree. The Project is appropriately conditioned to require that Tree No. 1 and Tree No. 3 would be protected through the construction phase, including all work conducted within the trees' drip line.

25. The Hearing Officer finds that the proposed improvements or construction 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. No oak trees are proposed to be removed.
26. The Hearing Officer finds that the Project will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. No trees are proposed to be removed; therefore, there will be no soil erosion impacts caused by oak tree removals.
27. The Hearing Officer finds that there is no oak tree removal or relocation proposed as part of this project. Therefore, it is not necessary to make the finding that the removal or relocation of the oak tree(s) proposed is necessary as its continued existence at present location(s) frustrates the planned improvements or proposed use of the subject property to such a extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive.
28. The Hearing Officer finds that the Project is not in conflict with the County Oak Tree Ordinance, no trees of the oak genus will be removed and oak trees will be protected. Therefore, the encroachment into the protected zones of the two oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure. The impact to the oak trees in the project vicinity will be minimal and can be reduced by the recommended measures outlined in the Oak Tree Report and County Forester's comment letter.
29. The Hearing Officer finds that pursuant to Section 22.56.2130 and Section 22.60.174 of the County Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and DRP website posting. Additionally, the Project's case materials are available on the Regional Planning's website. On February 23, 2016, a total of 11 Notices of Public Hearing were mailed to the contacts on the courtesy mailing list for the La Crescenta Zoned District and to any additional interested parties.
30. 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, HEARING OFFICER CONCLUDES THAT:

- A. That the proposed construction and 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.

- B. That the encroachment into the protected zones of the two oak trees will not result in soil erosion through the diversion or increased flow of the surface waters which cannot be satisfactorily mitigated; and
- C. That the encroachment of the two oak trees is necessary as their continued existence at the present location frustrates the planned improvement or 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.
- D. That the proposed encroachment into the protected zones of the two oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15304 of the State CEQA Guidelines (Class 4, Minor Alterations to Land categorical exemption); and
- 2. Approves Oak Tree Permit No. 201500009, subject to the attached conditions of approval.

ACTION DATE: APRIL 5, 2016

MM:JH
03/24/16

c: Hearing Officer , Zoning Enforcement, and Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-01244-(5)
OAK TREE PERMIT NO. 201500009**

PROJECT DESCRIPTION

The applicant requests an oak tree permit to authorize encroachment into the protected zones of two oak trees, both classified as Coast Live Oak and identified as Tree No. 1 and Tree No. 3 in an oak tree report dated November 4, 2015 and prepared by McKinley & Associates in association with the construction of a new single-family residence with associated improvements (RPP 201401199) 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 the 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.

- a. 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.
 - b. 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 one (1) year from the date of approval of the plot plan authorizing the development. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the 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 inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. 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 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").
12. 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.
13. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the Fire Department.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

15. This grant shall not be effective until a plot plan (RPP 201401199) is approved for the demolition of an existing one-story single-family residence, construction of a new two-story single-family residence with accessory structures and associated improvements, demonstrating the need to encroach upon the said trees.
16. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated January 5, 2016 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.

Attachments:

County Forester's Letter dated January 5, 2016.
Oak Trees: Care and Maintenance Guide.



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:

0 Removal 2 Encroachment 3 To Remain 3 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.)

<p>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.</p>
<p>The proposed construction will adhere to all necessary requirements set forth by the</p>
<p>Los Angeles County Planning Department, Los Angeles County Forestry Department,</p>
<p>and the attached arborist report prepared by mckinley & associates dated 11/4/2015.</p>
<p>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.</p>
<p>No oak trees will be removed or relocated.</p>
<p>C. That in addition to the above facts, at least one of the following findings must apply:</p>
<p>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:</p>
<p>a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or</p>
<p>b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or</p>
<p>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</p>
<p>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.</p>
<p>No oak trees will be removed or relocated.</p>
<p>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.</p>
<p>no oak trees will be removed or relocated.</p>



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 5, 2016

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

Dear Jolee Hui:

**OAK TREE PERMIT NUMBER 2015-00009
PROJECT NUMBER R2014-03440
2521 JANET LEE DRIVE, LA CRESCENTA**

We have reviewed the "Request for Oak Tree Permit #2015-00009." The project is located at 2521 Janet Lee Drive in the unincorporated area of La Crescenta. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by William R. McKinley, the consulting arborist, dated November 4, 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
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

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 chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site, as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval, shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of two (2) trees of the Oak genus identified as Tree Numbers 1 and 3 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 any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

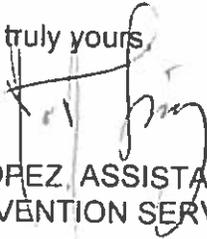
16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

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

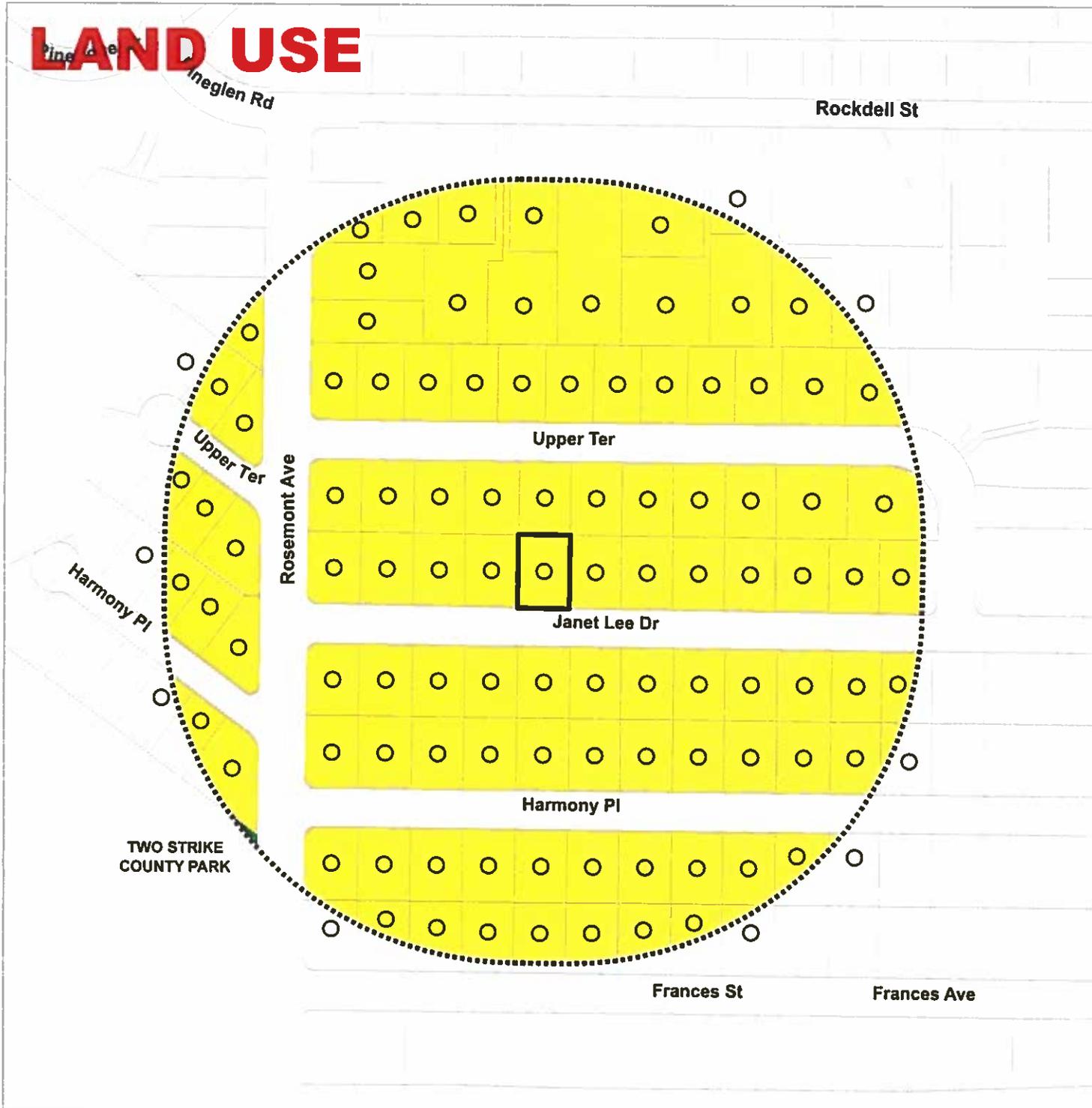
LAND USE

LAND USE 500 FOOT RADIUS MAP

Proj. R2014-03440 (5)
ROAK 2015-00009

Legend

- SINGLE-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- PARKS & GOLF COURSES



VICINITY MAP



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

ZONING

ZONING 500 FOOT RADIUS MAP Proj. R2014-03440 (5) ROAK 2015-00009

Legend

 R-1 - Single-Family Residence

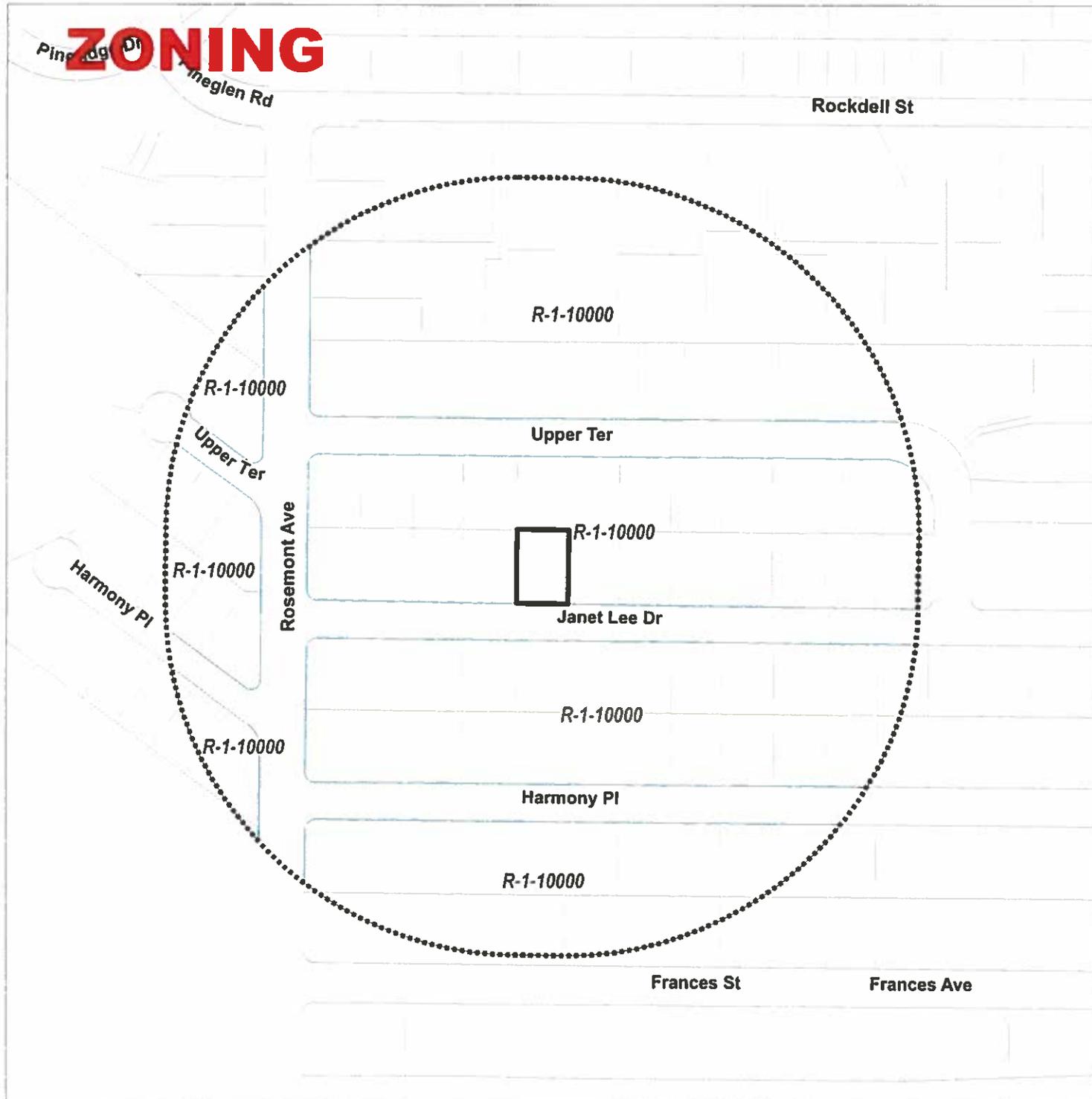
VICINITY MAP

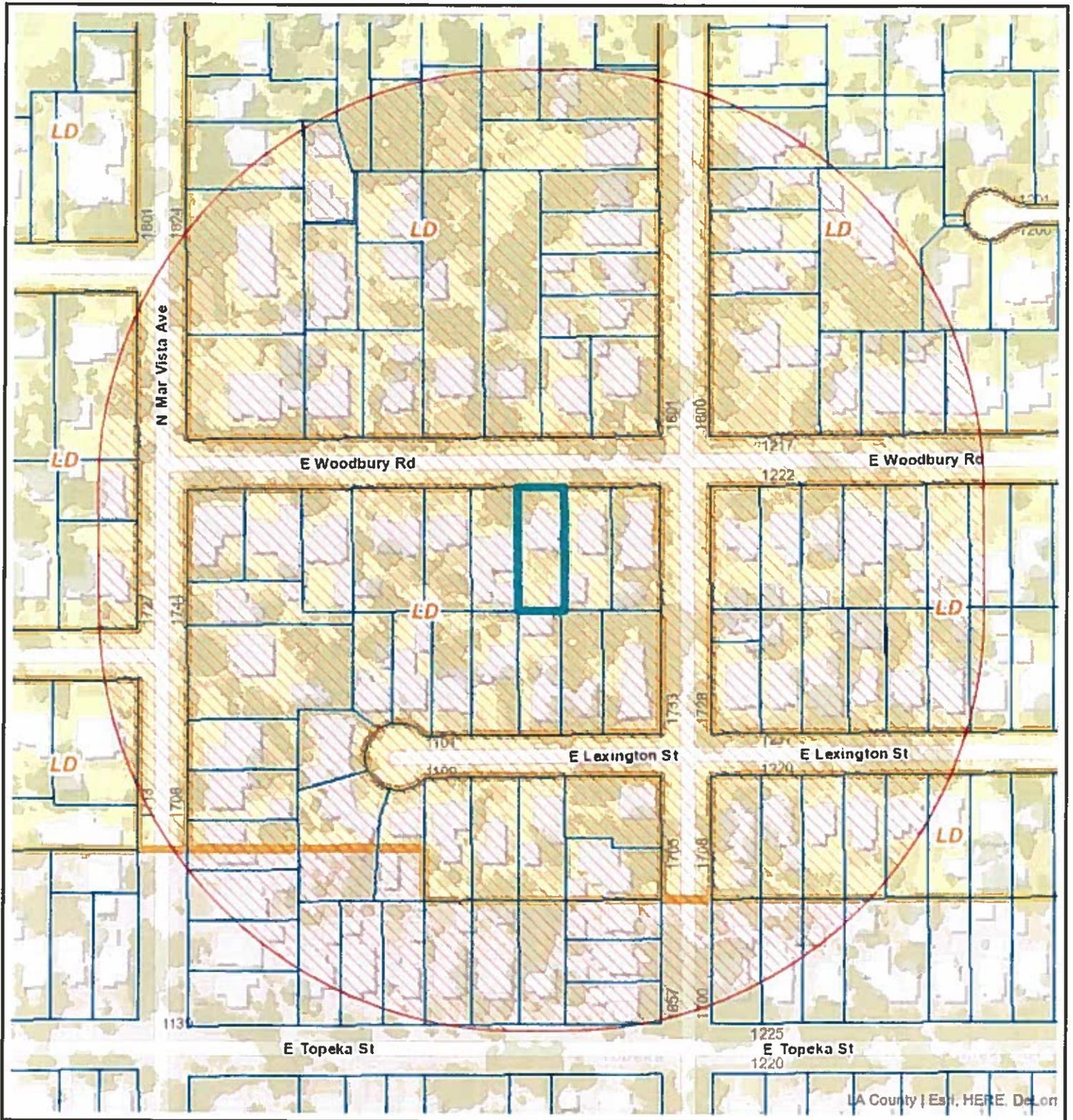


0 30 60 120 180 240 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012





Altadena Community Plan Land Use Designation

2521 Janet Lee Drive

Printed: Mar 15, 2016



Copyright 2013 - Los Angeles County Department of Regional Planning, GIS Section. Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET3. The map should be interpreted in accordance with the GIS-NET3 Public disclaimer statement. Printed with permission from the Los Angeles County Dept. of Regional Planning. All rights reserved.

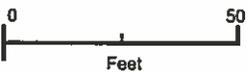




Aerial

2521 Janet Lee Drive

Printed: Mar 15, 2016



Copyright 2013 - Los Angeles County Department of Regional Planning, GIS Section. Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET3. The map should be interpreted in accordance with the GIS-NET3 Public disclaimer statement. Printed with permission from the Los Angeles County Dept. of Regional Planning. All rights reserved.



PHOTOS FROM OAK TREE REPORT BY MCKINLEY & ASSOCIATES DATED NOVEMBER 4, 2015



PHOTO #1

Photo 1: View of Tree No. 1 looking north from Janet Lee Drive



PHOTO #2

Photo 2: View of Tree No. 1 looking west.



PHOTO#3

Photo 3: View of Tree No. 1 looking northeast.



PHOTO#4

Photo 4: View of Tree No. 1 looking east.



PHOTO#5

Photo 5: Close-up of crown of Tree No. 1



PHOTO#6

Photo 6: View of Tree No. 1 crown looking west



Photo 7: West of Tree No. 2 looking north



Photo 8: View of Tree No. 3 looking east

FOR PHOTO REFERENCE ONLY

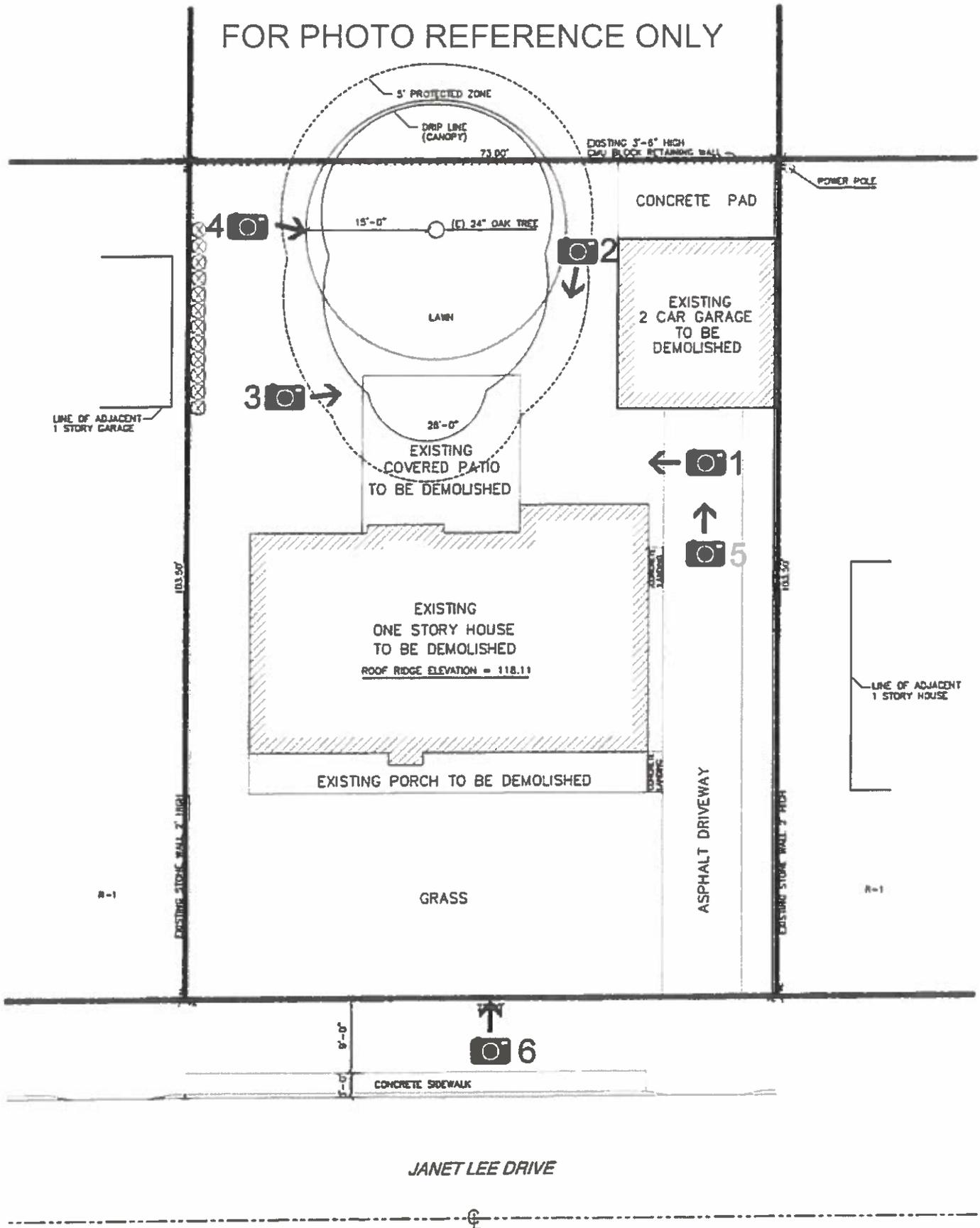


PHOTO KEY
 2521 JANET LEE DR.
 LA CRESCENTA, CA

Tree No. 2 and 3 not accounted for on this map.



PATIAN
ARCHITECTS, INC.

2521 JANET LEE DR.
LA CRESCENTA, CA

NEW 2-STORY
RESIDENCE
W/ATTACHED
2 CAR GARAGE



PHOTO #1



PATIAN
ARCHITECTS, INC.

2521 JANET LEE DR.
LA CRESCENTA, CA

NEW 2-STORY
RESIDENCE
W/ATTACHED
2 CAR GARAGE



PHOTO # 2



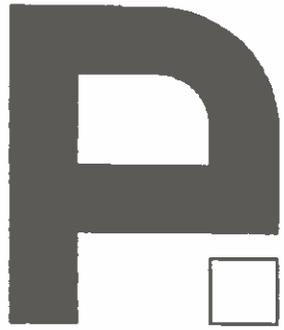
PATIAN
ARCHITECTS, INC.

2521 JANET LEE DR.
LA CRESCENTA, CA

NEW 2-STORY
RESIDENCE
W/ATTACHED
2 CAR GARAGE



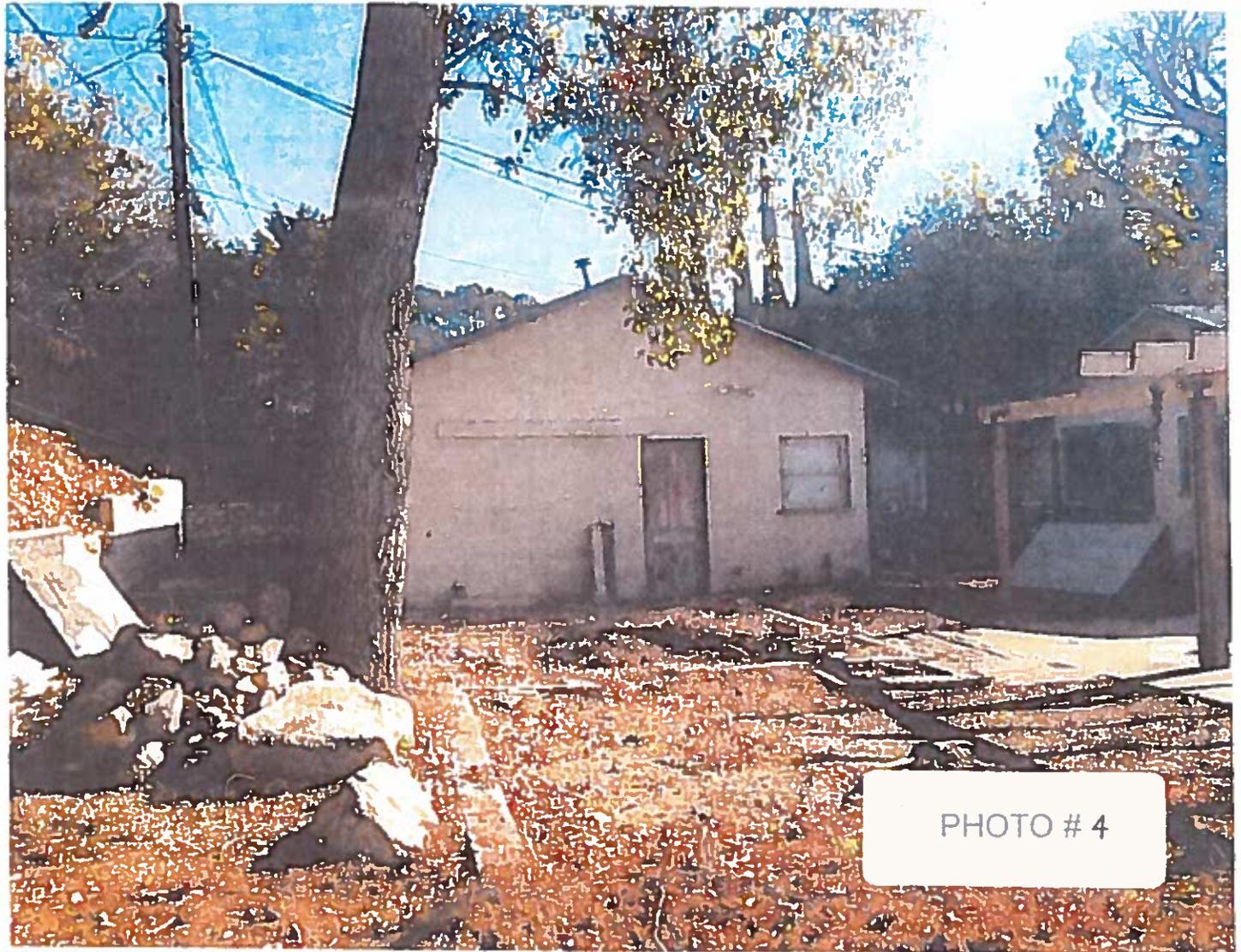
PHOTO # 3

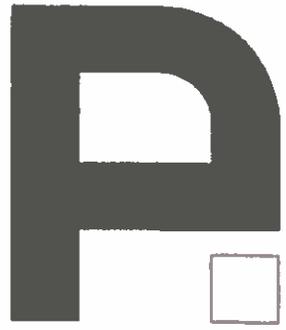


PATIAN
ARCHITECTS, INC.

2521 JANET LEE DR.
LA CRESCENTA, CA

NEW 2-STORY
RESIDENCE
W/ATTACHED
2 CAR GARAGE





PATIAN
ARCHITECTS, INC.

2521 JANET LEE DR.
LA CRESCENTA, CA

NEW 2-STORY
RESIDENCE
W/ATTACHED
2 CAR GARAGE

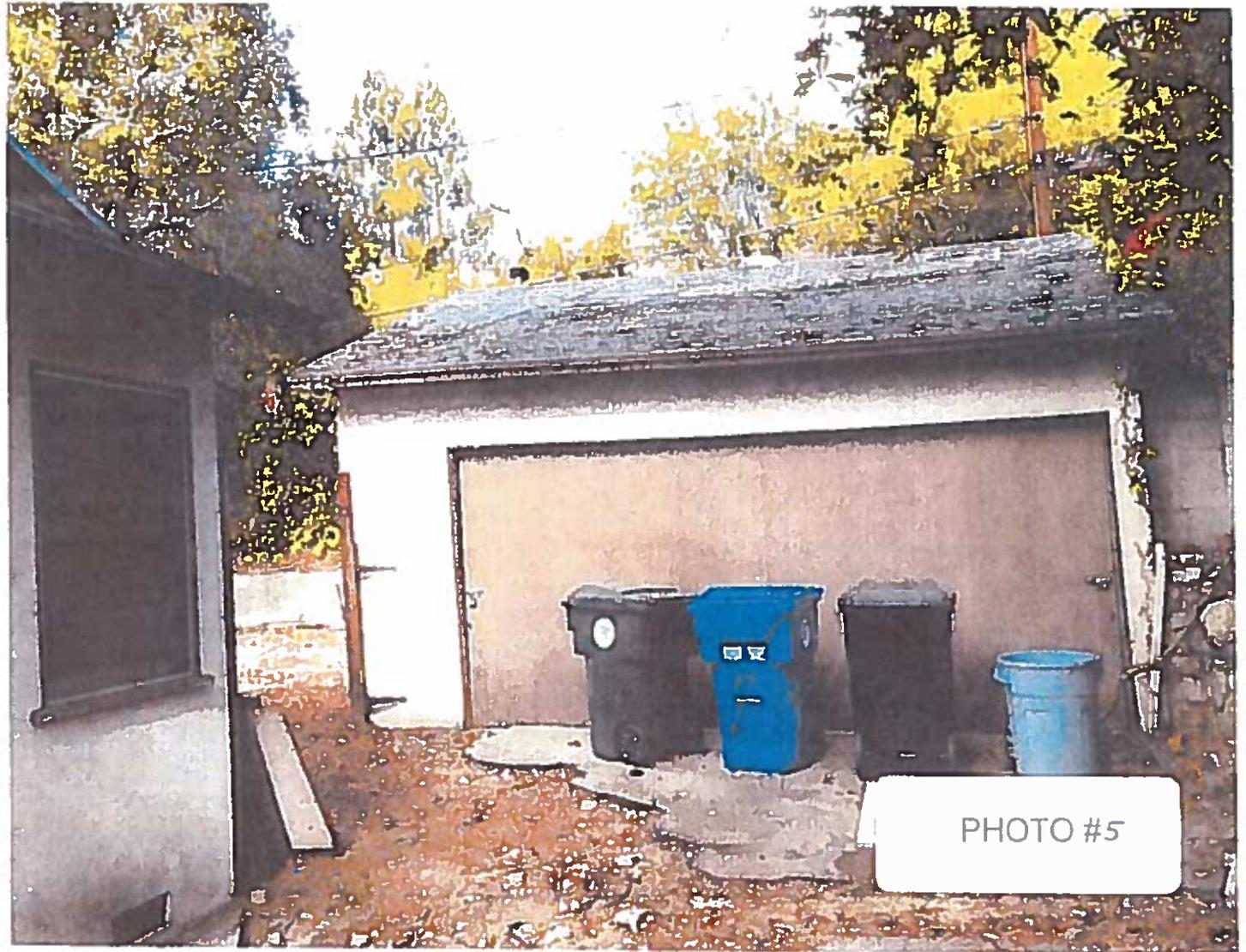


PHOTO #5



PHOTO #6