

# Hearing Officer Transmittal Checklist

<b>Hearing Date</b> 07/05/16
<b>Agenda Item No.</b> 11

**Project Number:** R2015-02968-(3)  
Oak Tree Permit No. 201500027  
**Case(s):** Environmental Assessment Case No. 201500212  
Coastal Development Permit No. 201500104  
**Planner:** Greg Mirza-Avakyan

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Findings
- Draft Conditions + Other department letters of recommended conditions
- Burden of Proof Statement(s)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Site Plan / Floor Plans / Elevations

**Reviewed By:** 



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

**PROJECT NUMBER**

R2015-02968

**HEARING DATE**

July 5, 2016

**REQUESTED ENTITLEMENTS**

Oak Tree Permit No. 201500027  
 Environmental Assessment No. 201500212  
 Coastal Development Permit No. 201500104

# PROJECT SUMMARY

**OWNER / APPLICANT**

Susan Johnson, Thomas Johnson, Noreen Sand

**MAP/EXHIBIT DATE**

11/10/2015

**PROJECT OVERVIEW**

The applicants request an Oak Tree Permit to authorize the encroachment into the protected zone of eight oak trees in conjunction with the proposed improvements to an existing single family residence which include the enclosure of a carport, the connection of the garage to the residence, the repair and expansion of wooden decking, the addition of stone veneer to the outside walls, and the replacement of windows. The Coastal Development Permit Exemption will be effective only upon the approval of the Oak Tree Permit.

**LOCATION**

588 Crater Camp Drive, Santa Monica Mountains Coastal Zone

**ACCESS**

Crater Camp Drive

**ASSESSORS PARCEL NUMBER(S)**

4456-005-002

**SITE AREA**

.83 acres

**GENERAL PLAN / LOCAL PLAN**

Santa Monica Mountains Co

**ZONED DISTRICT**

The Malibu

**LAND USE DESIGNATION**

RV – Rural Village

**ZONE**

R-C-1 (Rural Coastal – minimum one acre per lot)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Santa Monica Mountains Local Coastal Program Land Use 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)
  - 22.24.105 (R-1 Zone Development Standards)
  - 22.44.820 (Exemptions & Categorical Exclusions – Santa Monica Mountains Local Implementation Program)

**CASE PLANNER:**

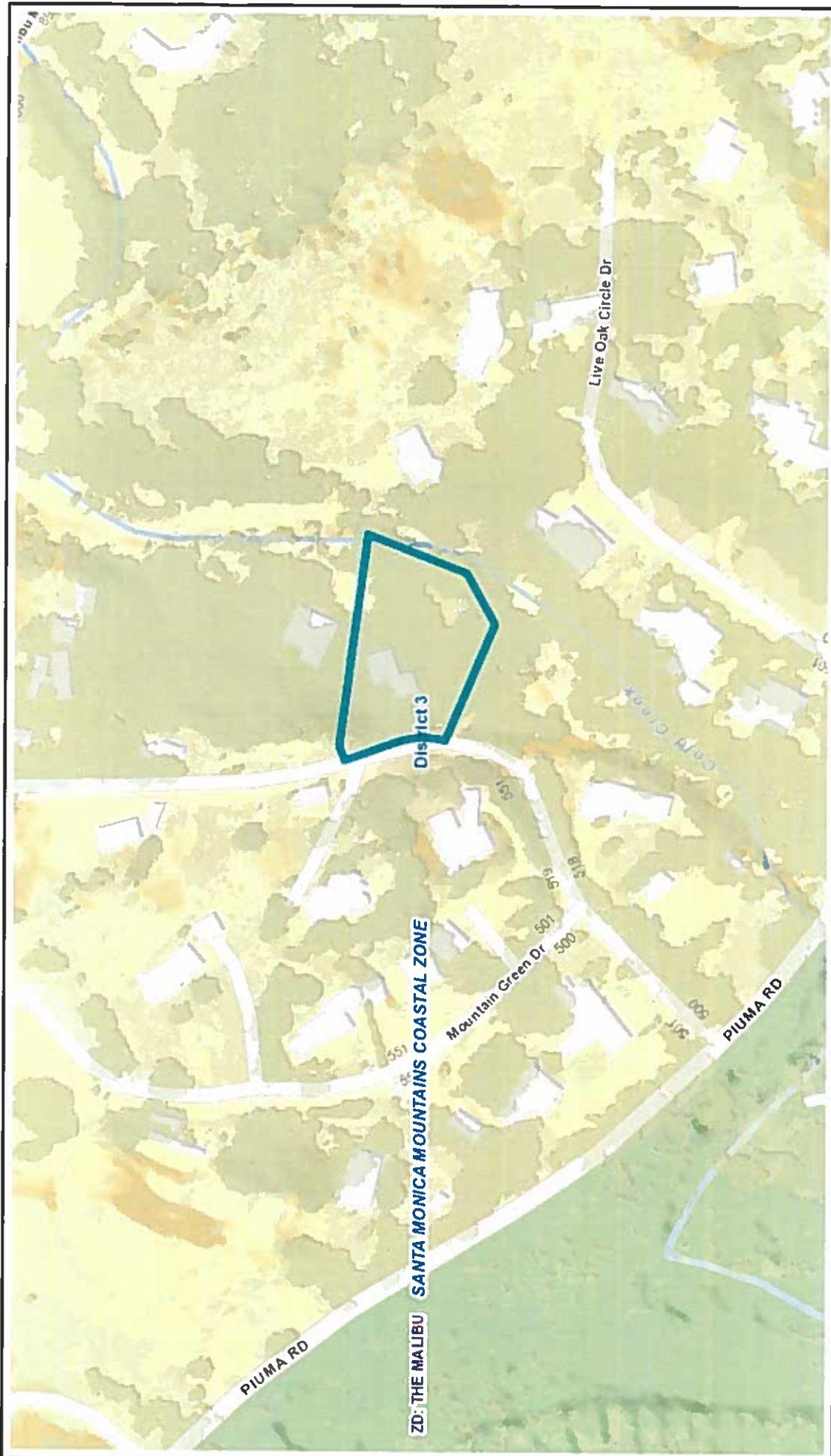
Greg Mirza-Avakyan

**PHONE NUMBER:**

(213) 974 – 6462

**E-MAIL ADDRESS:**

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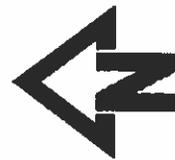
ZD: THE MALIBU SANTA MONICA MOUNTAINS COASTAL ZONE

# Property Location Map

## 588 Crater Camp Dr. (4456-005-002)

Printed: Jun 15, 2016

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### **ENTITLEMENTS REQUESTED**

- Oak Tree Permit (OTP) to authorize the encroachment into the protected zone of eight oak trees for proposed improvements to an existing single-family residence pursuant to County Code Section 22.56.2060.
- Coastal Development Exemption Permit for the proposed improvements to the existing single-family residence in the R-C-1 (Rural Coastal – minimum one acre per lot) Zone. Per County Code Section 22.44.820.A.1.a, Coastal Development Exemption Permits are subject to director's review.

### **PROJECT DESCRIPTION**

The Project is an encroachment into the protected zone of eight oak trees for the following improvements to a single-family residence:

- To enclose the existing carport with two garage doors and to connect the resulting garage to the residence. The resulting garage would increase the square footage of the carport by approximately 170 square feet, resulting in a 770 square foot garage.
- To repair the existing decking and add 71.5 square feet of decking to the wooden porch on the western entrance to the house.
- To replace existing windows on the façade of residence.
- To replace a window with French doors and to add a wooden step-down porch to the southeastern side of the residence leading to the existing deck.
- To add stone veneer to the sides of the garage and to the porch area.
- To change the layout of the habitable interior space, resulting in no additional square footage. The height and building site area of the residence will not increase.

The subject property is located in the Monte Nido Rural Village within the Santa Monica Mountains Coastal Zone and is subject to the Santa Monica Mountains Local Implementation Program (LIP). However, pursuant to Section 22.44.82.A.1.a of the LIP, improvements to a legally established single-family residence are exempt from the provisions of the LIP. However, because the improvements to the single-family residence will result in the encroachment into the protected zone of eight (8) oak trees, the project requires an Oak Tree Permit pursuant to Section 22.56 of the County Code. The exemption from the LIP shall not be effective until this Oak Tree Permit is approved and in effect.

The approval requested from the Hearing Officer is for the Oak Tree Permit for the encroachment into the protected zone of eight oak trees. The improvements to the single-family residences will be approved through the Coastal Development Permit Exemption.

The applicant submitted an Oak Tree Report, dated November 9, 2015, prepared by a certified arborist, which states the project is not anticipated to damage any of the encroached-upon oak trees. The Project Arborist prepared an Oak Tree Preservation Program to address the potential impacts to the roots of the eight oaks. Six of the trees

are expected to experience insignificant impacts during construction (Oaks 1, 2, 7, 8, 9, and 10). Two oaks to the east of the residence (Oaks 12 and 19) may be impacted due to 18-inch deep excavation to install two footings on each end of the proposed wooden step-down porch. The Project Arborist proposes to excavate to determine if the roots will be impacted, and if that is the case, an alternative to the footing would be a concrete pylon support system.

### **EXISTING ZONING**

The subject property is zoned R-C-1 (Rural Coastal - One Acre Minimum Required Lot Area). Surrounding properties in all directions are also zoned R-C-1.

### **EXISTING LAND USES**

The subject property is developed with a single-family residence and surrounding properties are developed with single-family residences in all directions.

### **PREVIOUS CASES/ZONING HISTORY**

- The original building permit for the construction of the single-family residence was finalized in 1970. A building permit for the construction of a spa was finalized in 1990.
- The subject property was rezoned from A-1-1 (Light Agricultural) to R-C-1 (Rural Coastal) pursuant to the passage of the Santa Monica Mountains Local Coastal Program in 2014.
- Zoning Enforcement Case No. 15-0001105 for the remodel of an existing carport without permits was opened on March 22, 2015. The case was closed on June 22, 2015.
- Zoning Verification Letter No. RZV201500065 confirming that the horse facility contained on the property was established prior to the January 1, 1977 effective date of the California Coastal Act, was issued on December 9, 2015

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project includes improvements to an existing, legally established single-family residence which will encroach into the protected zone of eight (8) oak trees, but will not require the removal of any of the impacted oak trees. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

### **STAFF EVALUATION**

#### **General Plan/Community Plan Consistency**

The project site is located within the Rural Village land use category of the Santa Monica Mountains Land Use Plan (SMMLUP). This designation is principally intended for low-density single-family detached homes. The project is a request to authorize the encroachment into the protected zone of eight oak trees for improvements to an existing,

legally established single-family residence. Therefore, the underlying use is consistent with the land use designation.

The following policies of the Santa Monica Mountains Land Use Plan are applicable to the proposed project:

- *LU-25: Additions and improvements to lawfully established uses or structures may be permitted provided that the additions and improvements comply with current LCP policies and standards and do not increase any existing inconsistencies.*

The existing single-family residence is a lawfully established use and the proposed additions comply with applicable LCP policies and standards.

- *LU-31: Within Rural Villages, limit the mass, scale, and total square footage of structures to minimize grading, landform alteration, and protect environmental scenic resources.*

The proposed additions to the residence would result in very minimal square footage increase and would not add any habitable area. The grading will be minimal and supervised by the Project Arborist to minimize potential negative impacts.

- *CO-143: New development shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited, with the exception of solar panels.*

The materials chosen for the exterior modifications to the residence are consistent with the surrounding landscape. The stone veneer added to the siding of the residence will contribute to the rustic look.

### Zoning Ordinance and Development Standards Compliance

#### **Santa Monica Mountains Local Implementation Program**

Pursuant to Section 22.44.820.A of the County Code, improvements to an existing lawfully established single-family residence are exempt from the provisions of the Santa Monica Mountains Local Implementation Program (LIP). The project further meets the provisions in Subsection 22.44.820.A.1.b, which states that the exemption shall not apply to projects that involve a risk of adverse environmental impact. The proposed project does not meet any of the definitions of adverse environmental impact as listed in subsection 22.44.820.A.1.b. Therefore, the project is exempt from the provisions of the LIP. The project is located in the Rural Coastal (R-C) Zone and per 22.44.1750(E.1) single-family residences in the R-C zone are subject to R-1 Development Standards. The project is consistent with all R-1 development standards in Chapter 22.20, Part 2 of the Zoning Code.

### **Oak Tree Permit**

Pursuant to Section 22.56.2060 of the County Code, a person shall not cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any qualified oak tree 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 Part 16 of Chapter 22.56 of the County Code.

As part of the Oak Tree Permit requested for this project, the applicant has provided an Oak Tree Report dated November 8, 2015 by a certified arborist. The report states that the proposed construction on the existing single-family residence will encroach into the protected zones of eight oak trees, identified as Oak Tree Numbers 1, 2, 7, 8, 9, 10, 12, and 19 on the submitted site plan and oak tree report. The arborist is of the opinion that the proposed work is not expected to impose any significant negative impacts on six of the oak trees. The higher risk for two of the oaks (12 and 19) is addressed in the project arborist's report, which contains an Oak Tree Preservation Program that outlines the methods through which the impacts to all of the oaks will be mitigated. The report has been reviewed and cleared by the County Forester.

### **Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.2100 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

### **Neighborhood Impact/Land Use Compatibility**

The subject property is developed as a single-family residence located in the residential portion of Monte Nido Village. The surrounding neighborhood is developed with single-family homes with oak trees throughout most of the properties. There are 33 oak trees on the subject property. The encroachments into the protected zone of eight oak trees are not expected to have a significant impact on the trees. As the impact to the oak trees of the subject property is mitigated and as the improvements to the house are minor, the property and its home will remain compatible with the neighborhood.

### **Site Visit**

A site visit was conducted on October 14, 2015, which revealed that the conditions depicted on provided plans and described in the materials submitted by the applicant are consistent with the existing conditions on location.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The County of Los Angeles Forester and Fire Warden reviewed the project and verified the accuracy and completeness of the Oak Tree report in a letter dated January 12, 2016. The letter is attached to this report. The Forester issued a grant to allow the encroachment within the projected zone of eight trees with attached conditions.

**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 newspaper, property posting, 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 NO. R2015-02968, Oak Tree Permit Number 201500027, subject to the attached conditions.

**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 201500027 AND SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS..**

Prepared by Greg Mirza-Avakyan, Regional Planning Assistant II, Zoning Permits West Section

Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

**Attachments:**

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs

Site Plan, Land Use Map

MKK:gam

June 23, 2016

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02968-(3)  
OAK TREE PERMIT NO. 201500027**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. 201500027 on July 5, 2016.
2. The permittees, Susan Johnson, Thomas Johnson, and Noreen Sand ("permittees"), request the Oak Tree Permit to authorize the encroachment into the protected zone of eight oak trees in conjunction with the proposed improvements to an existing single-family residence ("Project") on a property located at 588 Crater Camp within the Monte Nido Rural Village in the unincorporated community of Santa Monica Mountains Coastal Zone ("Project Site") in the R-C-1 zone pursuant to Los Angeles County Code ("County Code") section 22.56.2060.
3. The Project Site is .83 acres in size and consists of one legal lot. The Project Site is irregular in shape with gently to steeply sloping topography and is developed with a 2,300 square-foot single-family residence.
4. The Project Site is located in The Malibu Zoned District and is currently zoned R-C-1 (Rural Coastal – One Acre Minimum Required Lot Area).
5. The Project Site is located within the Rural Village land use category of the Santa Monica Mountains Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius is R-C-1 (Rural Coastal – One Acre Minimum Required Lot Area) in all directions.
7. Surrounding land uses within a 500-foot radius are single-family residences in all directions.
8. The property has been developed with a legally established single-family residence since 1970. In 1990, building permits were obtained for the construction of an outdoor spa, which is the only addition to the house since original construction.
9. In 2015, Zoning Verification Letter No. RZV201500065 was issued for this property, confirming that the horse facilities contained on the premises were established prior to the effective date of the California Coastal Act.
10. In 2014, the Santa Monica Mountains Local Coastal Plan (LCP) was adopted by the Los Angeles County Board of Supervisors and certified by the California Coastal Commission, which gives Los Angeles County coastal permitting authority for the Santa Monica Mountains Coastal Zone. With the passage of the LCP, the subject property was rezoned to R-C-1 from A-1-1, which had been the underlying zone since 1962.

11. The Project is exempt from the Land Use Implementation Program (LIP) of the Santa Monica Mountains Local Coastal Program (SMMLCP). Pursuant to County Code Section 22.44.820.A.1.a (Exemptions and Categorical Exclusions), improvements to a lawfully established single-family residence are exempt from the provisions of the LIP. The exemption from the LIP shall not be effective until this Oak Tree Permit is approved and in effect.
12. The site plan for the Project depicts the Project Site with an existing 2,300 square-foot single-family residence located in the north-west portion of the property. A carport that is approximately 600 square feet is separated by approximately 6 ½ feet from the residence to south-east. 33 oak trees are located on the property, and the protected areas of eight oak trees, shown with dashed lines, are encroached upon by the proposed changes to the house. The applicants propose to enclose the carport openings, resulting in an enclosed garage, and to connect the garage to the main residence by placing a 173 ¼ square-foot concrete slab on top of the existing footing between the main residence and the carport, and by constructing walls to connect the structures. The result of this work will be a 770 square-foot attached garage, to be used for automobile parking, HVAC, water heater, and laundry facilities, which will be relocated from the interior space of the residence. The new walls of the garage will be clad with stone-veneer siding. The main entry porch decking will be repaired, and a 71 ½ square-foot decking will be added, extending to the south-western edge of the residence. The south-western wall of the house is also proposed to be clad with stone veneer. On the south-east corner of the residence, the applicants propose to replace three existing windows. The Project also includes replacing the kitchen window with a bay window, the dining room window with French doors with a step-down wooden porch, and the family room window with French doors leading to an existing wooden deck. The master bedroom sliding glass door on the north-east of the residence is proposed to be replaced with a French door that leads to a wooden deck with an outdoor spa, which is proposed to be repaired. Approximately 8.3% of the lot is covered by structures, and no increase in the overall footprint will result from the proposed improvements.
13. The Project Site is accessible via Crater Camp Drive to the west.
14. There is an approximately 600 square-foot carport on the property, providing the required covered parking for the single-family residence. With the proposed conversion of the carport to an enclosed garage, the amount of space intended for parking will be unchanged.
15. The County of Los Angeles Forester and Fire Warden ("Forester") reviewed the project and verified the accuracy and completeness of the Oak Tree Report prepared by a certified arborist on November 9, 2015. In a letter dated January 12, 2016, the Forester has issued a grant, allowing the encroachment into the protected zone of eight oak trees (Oaks 1, 2, 7, 8, 9, 10, 12, and 19) as specified in the Oak Tree Report with conditions, which are included with or attached to the Project conditions.

16. The Project is exempt under Class 1, Existing Facilities, categorical exemption pursuant to 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 includes improvements to an existing, legally established single-family residence which will result in the encroachment into the protected zone of eight oaks. The impacts to the oak trees are limited to the encroachment into the protected zone, and not the removal of said oak trees.
17. 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 newspaper, mail to the courtesy list, library posting, and DRP website posting.
18. No public comments have been received at this time.
19. [Hearing Proceedings]
20. The Hearing Officer finds that the improvements to a single-family residence resulting in the encroachment into the protected zone of eight oak trees is consistent with the Rural Village land use category of the Santa Monica Mountains Land Use Plan. The purpose of the Rural Village land use category is to maintain small, integrated communities with low-density single-family detached residences. Since the Project involves minor alterations to the existing residence and minor oak tree encroachments, the single-family nature of the property will be preserved
21. The Hearing Officer finds that Project is consistent with the requirements of the Los Angeles County Zoning Code. The project is located in the Rural Coastal (R-C) Zone and per 22.44.1750 (E.1), single-family residences in the R-C zone are subject to R-1 Development Standards. The project is consistent with all R-1 development standards in Part 2 of Chapter 22.20, and therefore the project is consistent with the Zoning Code.
22. The Hearing Officer finds that encroachment into the protected zone of eight oak trees will be accomplished without endangering the health of the 33 oaks on the property. The adherence to the conditions of this permit, as well as the Forester's conditions, will ensure that the proposed improvements to the residence will not endanger the oaks on the property.
23. The Hearing Officer finds that the encroachment into the protected zone of eight oak trees by the proposed improvements will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. 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 to review the accuracy of the statements contained therein, and to inspect the project site. The County Forester concurred with the oak tree report submitted by the applicant, which was completed by a certified arborist, and supports the approval of the Oak Tree Permit, subject to conditions. The report states that no oaks are proposed to be removed or relocated as a result of the Project.

24. The Hearing Officer finds that the proposed encroachment into the protected zone of the eight oak trees is necessary as it is an improvement to an existing structure.
25. The Hearing Officer finds that pursuant to the oak tree report submitted by the applicant and verified by the County Forester, the encroachment into the protected zone of the eight oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
26. The Hearing Officer finds that pursuant to County Code Section 22.56.2130, the community was properly notified of the public hearing by newspaper and mailings to the Malibu Zoned District and the oak tree courtesy lists. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of Monte Nido. On June 1, 2016 a total of 22 Notices of Public Hearing were mailed to all listees as identified on the Malibu Zoned District and oak tree courtesy lists.
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 West Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. That the proposed use with the attached conditions will be consistent with the adopted General Plan and the Santa Monica Mountains Local Coastal Plan; and
- B. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property; and
- C. That the proposed encroachment into the protected zone of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- D. That absent the proposed encroachment into the protected zone of the oak trees permitted by the attached conditions, the placement of the subject oak trees precludes the reasonable and efficient use of the property for a purpose otherwise authorized; and
- E. That the proposed encroachment into the protected zone of the 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 1, Existing Facilities categorical exemption); and
2. Approves Oak Tree Permit 201500027, subject to the attached conditions.

**ACTION DATE: July 5, 2016**

MKK:gam  
June 23, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02968  
OAK TREE PERMIT NO. 201500027**

**PROJECT DESCRIPTION**

The project is for an Oak Tree Permit (OTP) to authorize the encroachment into the protected zone of eight oak trees in conjunction with the proposed improvements to an existing single-family residence subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

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

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$200.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for one (1) inspection. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. 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 the County Fire 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 encroachments into the protected zone of eight oak trees (Oak Tree Nos. 1, 2, 7, 8, 9, 10, 12, and 19 as identified on the Exhibit "A" and the Oak Tree Report) with no removals.
17. The oak trees should be reviewed by a licensed and certified arborist for detrimental changes in health or structure once every six months for three years. A brief summary report containing photo documentation should be prepared by the arborist following the site visit and shall be submitted to the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") within 10 days after each visit. The summary reports shall be made available to Regional Planning staff by request. Additional summary reports may be required at the discretion of the Department of Regional Planning or the County Forester.

18. 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.
19. For every tree that dies as a result of the encroachment, the permittee shall provide a replacement tree at a ratio of 2 to 1. 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.
20. 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.
21. 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
22. The permittee shall comply with all conditions and requirements set forth in the attached County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated January 16, 2016, to the satisfaction of said Division, except as otherwise required by said Division.
23. The approval of this oak tree permit shall make effective the exemption of this Project from the Local Implementation Program (LIP) of the Santa Monica Mountains Local Coastal Plan (SMMLCP).

Attachments:

Forester and Fire Warden Department Letter dated January 12, 2016



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

January 12, 2016

Greg Mirza-Avakyan, Planner  
Department of Regional Planning  
Zoning Permits Section  
320 West Temple Street  
Los Angeles, CA 90012

Dear Greg Mirza-Avakyan:

**OAK TREE PERMIT NUMBER 2015-00027**  
**PROJECT NUMBER R2015-02968**  
**588 CRATER CAMP DRIVE, CALABASAS**

We have reviewed the "Request for Oak Tree Permit #2015-00027." The project is located at 588 Crater Camp Drive in the unincorporated area of Calabasas. 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 Robert W. Wallace, the consulting arborist, dated November 9, 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  
GLENDORA  
HAWAIIAN GARDENS  
HAWTHORNE

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

LA MIRADA  
LA PUENTE  
LAKEWOOD  
LANCASTER  
LAWDALE  
LOMITA  
LYNWOOD

MAUBU  
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 eight (8) trees of the Oak genus identified as Tree Numbers 1, 2, 7, 8, 9, 10, 12 and 19 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:**

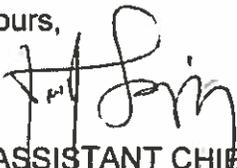
16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

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



## OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

0 Removal    8 Encroachment    313<sup>GM</sup> To Remain    313<sup>GM</sup> 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.**

Please see attached.

**B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.**

Please see attached.

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

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

Please see attached.

**D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.**

Please see attached.

Johnson – Oak Tree Permit

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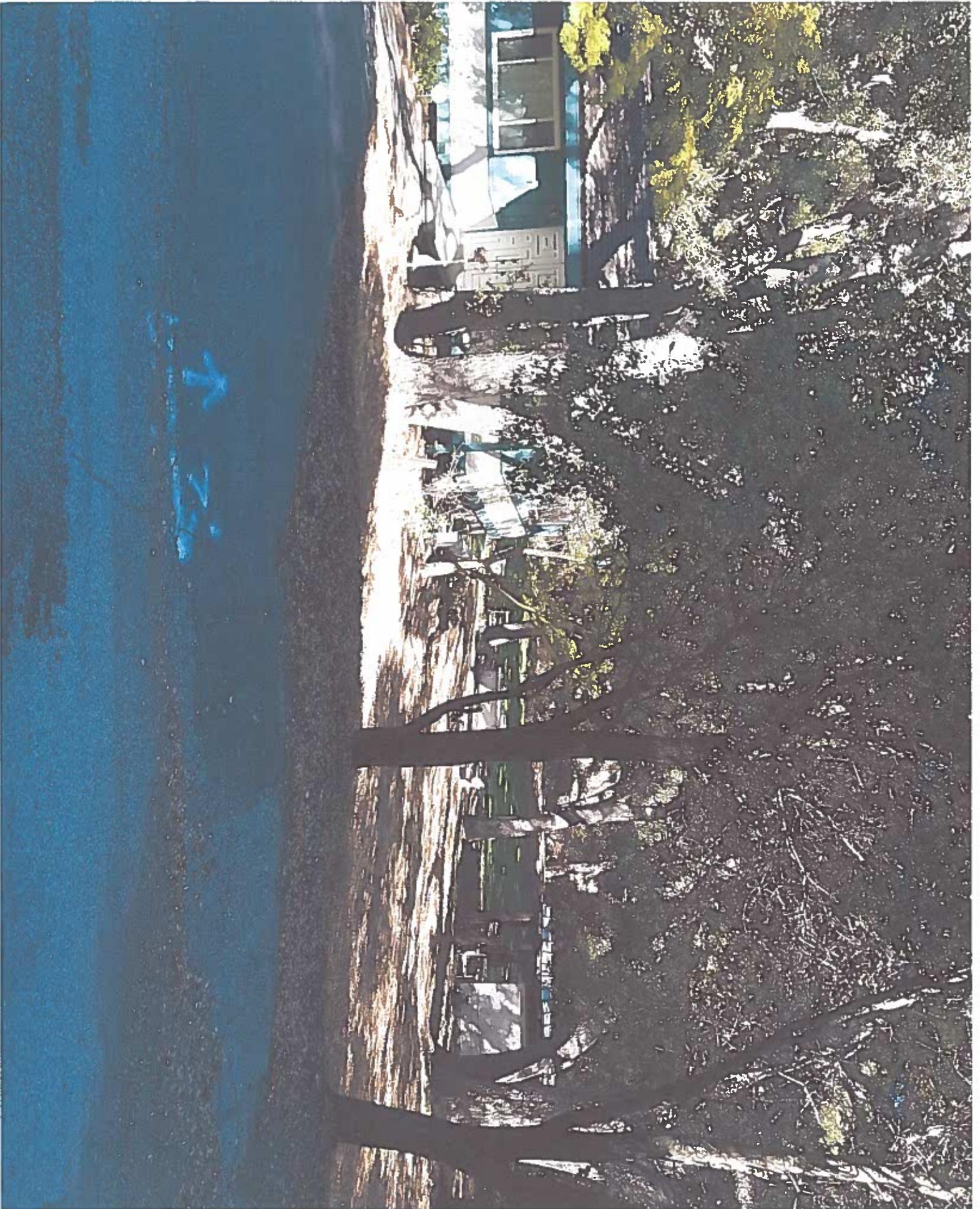
588 Crater Camp Drive, Calabasas CA 91302  
APN: 4456-005-002

**OAK TREE PERMIT BURDEN OF PROOF ATTACHMENT**

- A. The proposed construction and/or the proposed use will be accomplished without endangering the health of existing oak trees on the subject property. The applicant has retained an oak tree consultant and by following the recommendations of the report prepared, the existing oak trees will remain healthy. The proposed scope of work is to authorize the encroachment within the protected zone of eight (8) oak trees to accommodate the addition of garage doors to an existing carport and enclose an atrium between the carport and the home, and accommodate the remodel and updating some exterior finishes. The carport has existing concrete slab which has existing connected continuous subterranean footings with the home and existing connected roof structural support beams. Seek permission to prune four (4) oak trees pursuant to the Arborist's recommendation to protect the health of the trees and to protect the home from falling limbs.
- B. The proposed project does not include the removal of any of the existing oak trees and therefore there will be no result in soil erosion through diversion or increased flow of any surface water.
- C. The requested permit is for the encroachment of (8) oak trees for the purpose of remodeling and adding garage doors to an existing carport with an existing connected roofline and existing continuous subterranean footing from house and existing concrete slab in carport. As such, there are no findings to be made in this section regarding the removal of any oak trees.
- D. The proposed project does not include the removal of any of the existing oak trees; and therefore, will not conflict with the oak tree permit procedure.

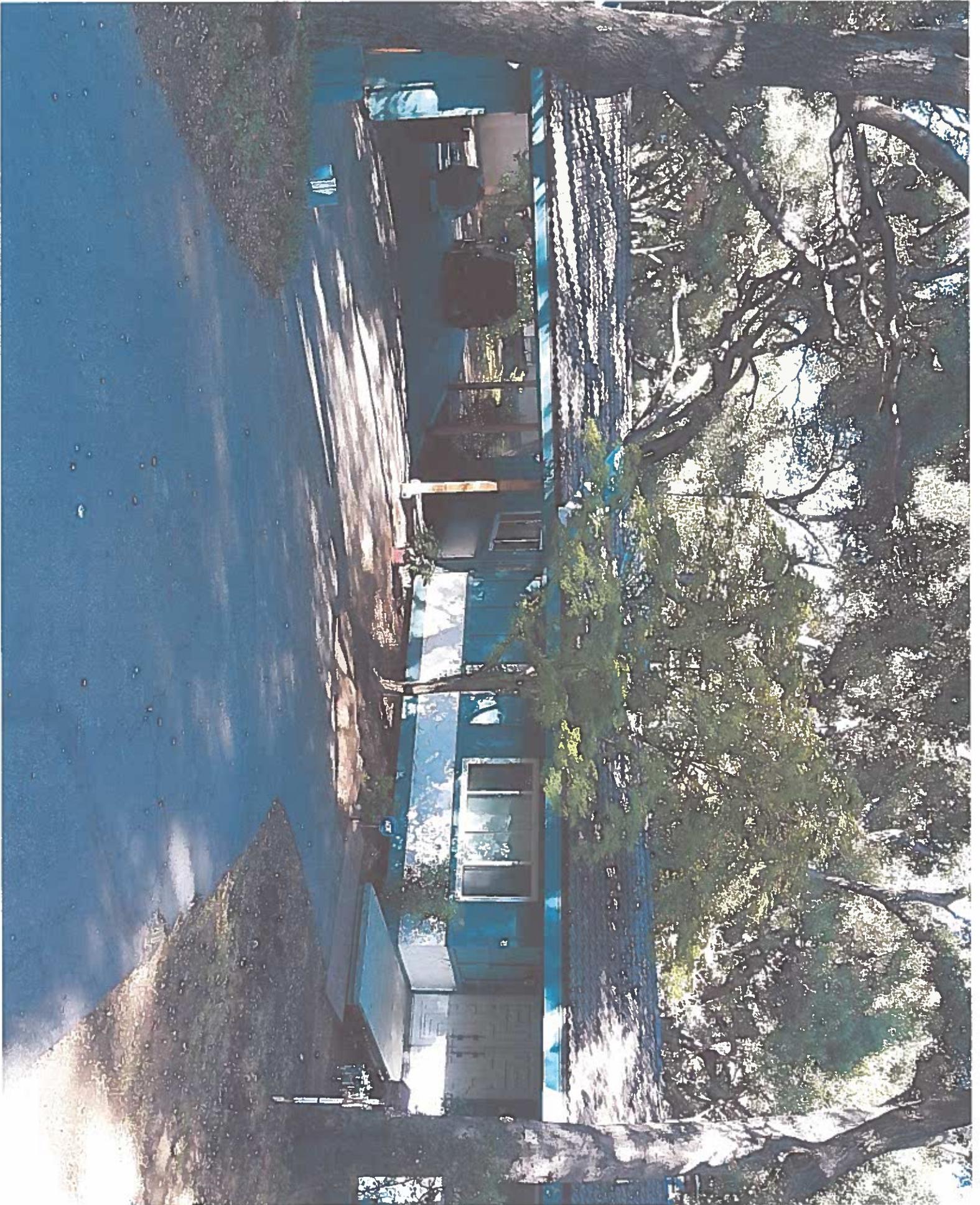


1) TOWN HALL & EDNA STREET



27

FRONT VIEW - FROM STREET



2)

FRANK



4 CAR PORCH DRIVE

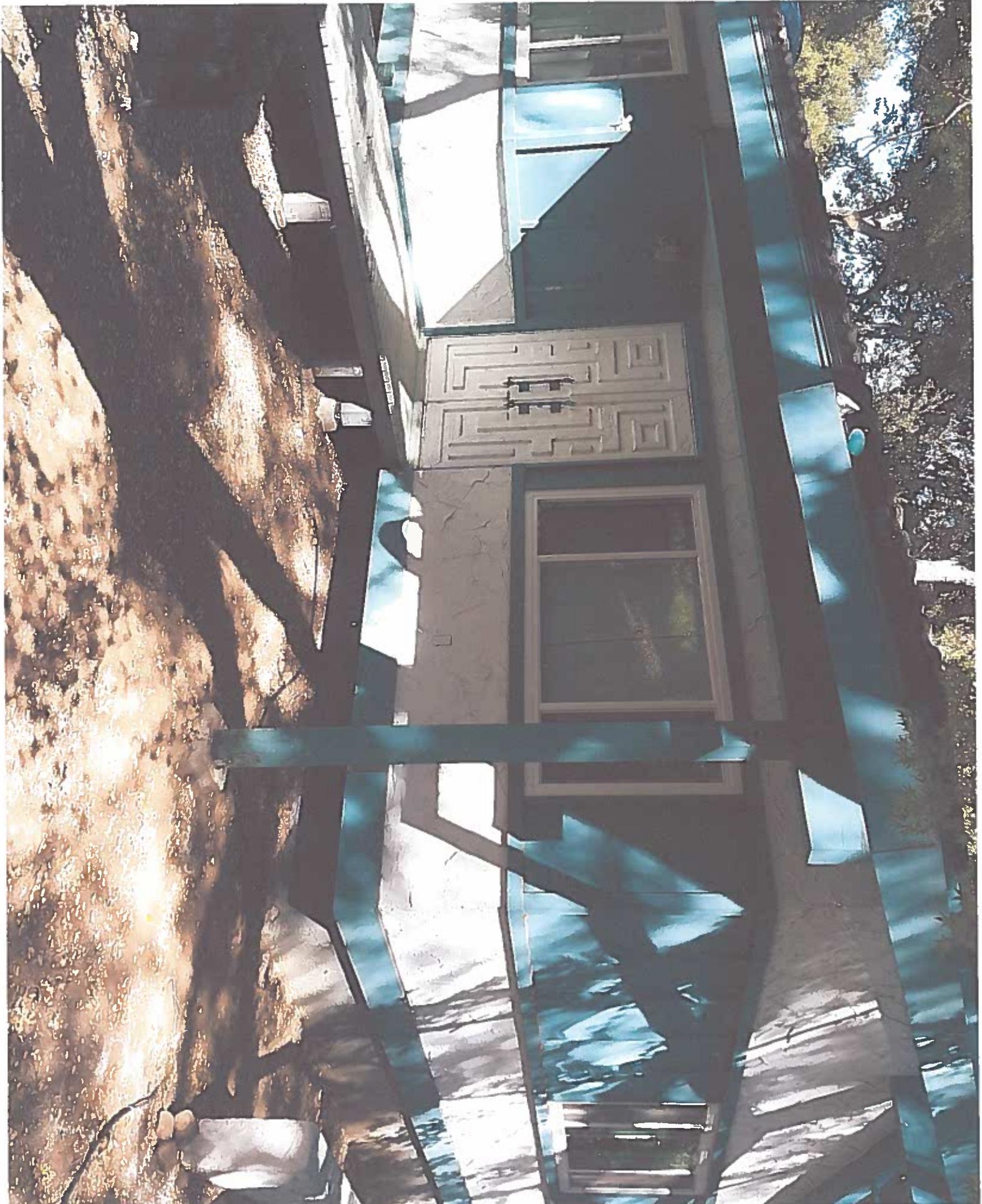


5) CARPORT - BACK SIDE VIEW



CARPORT ATRIUM

6.)



1) FRONT DOOR ENTRY



STAIRS

FRENCH DOOR

BAY WINDOW

WINDOW

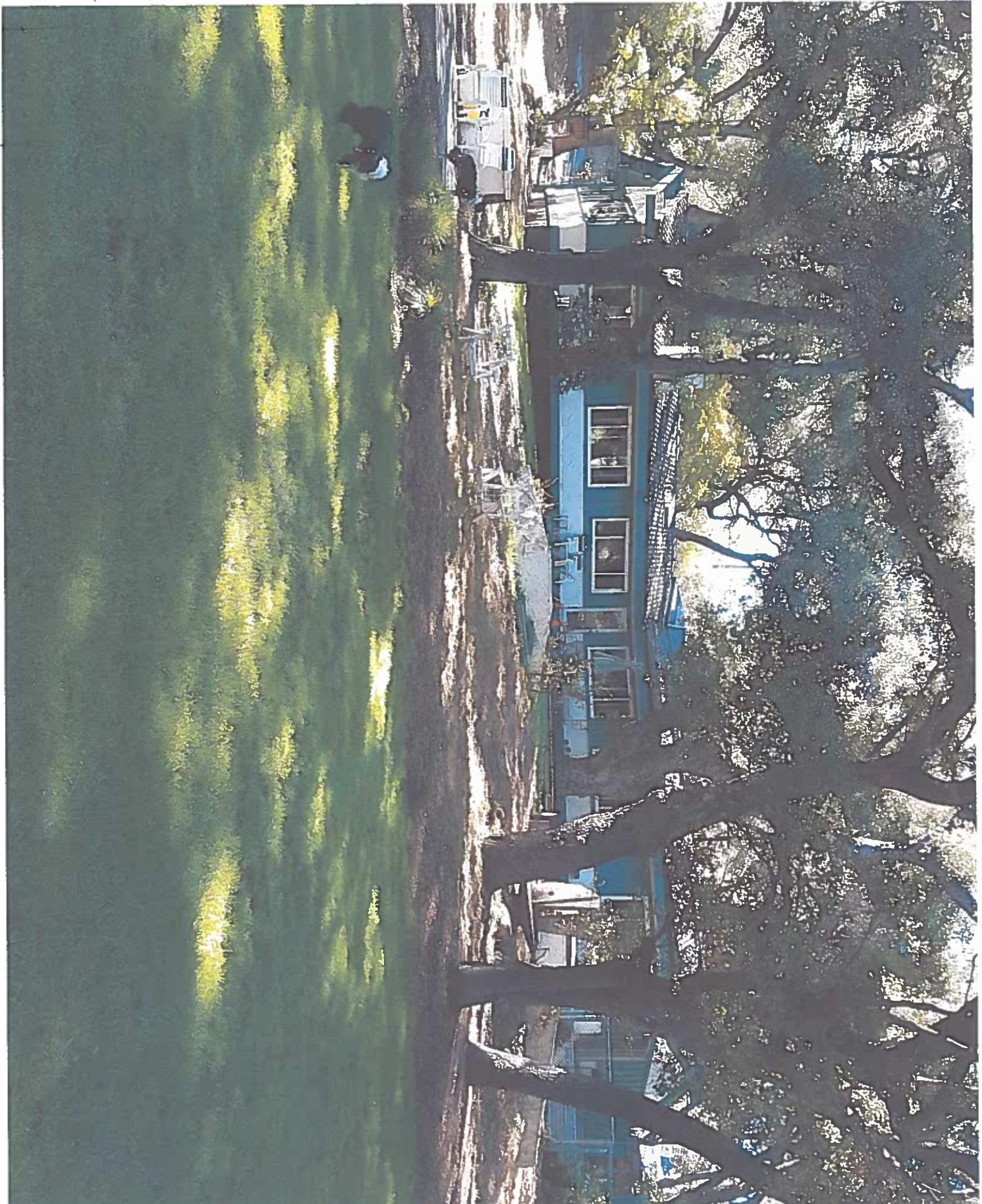
FRENCH DOOR

1/2

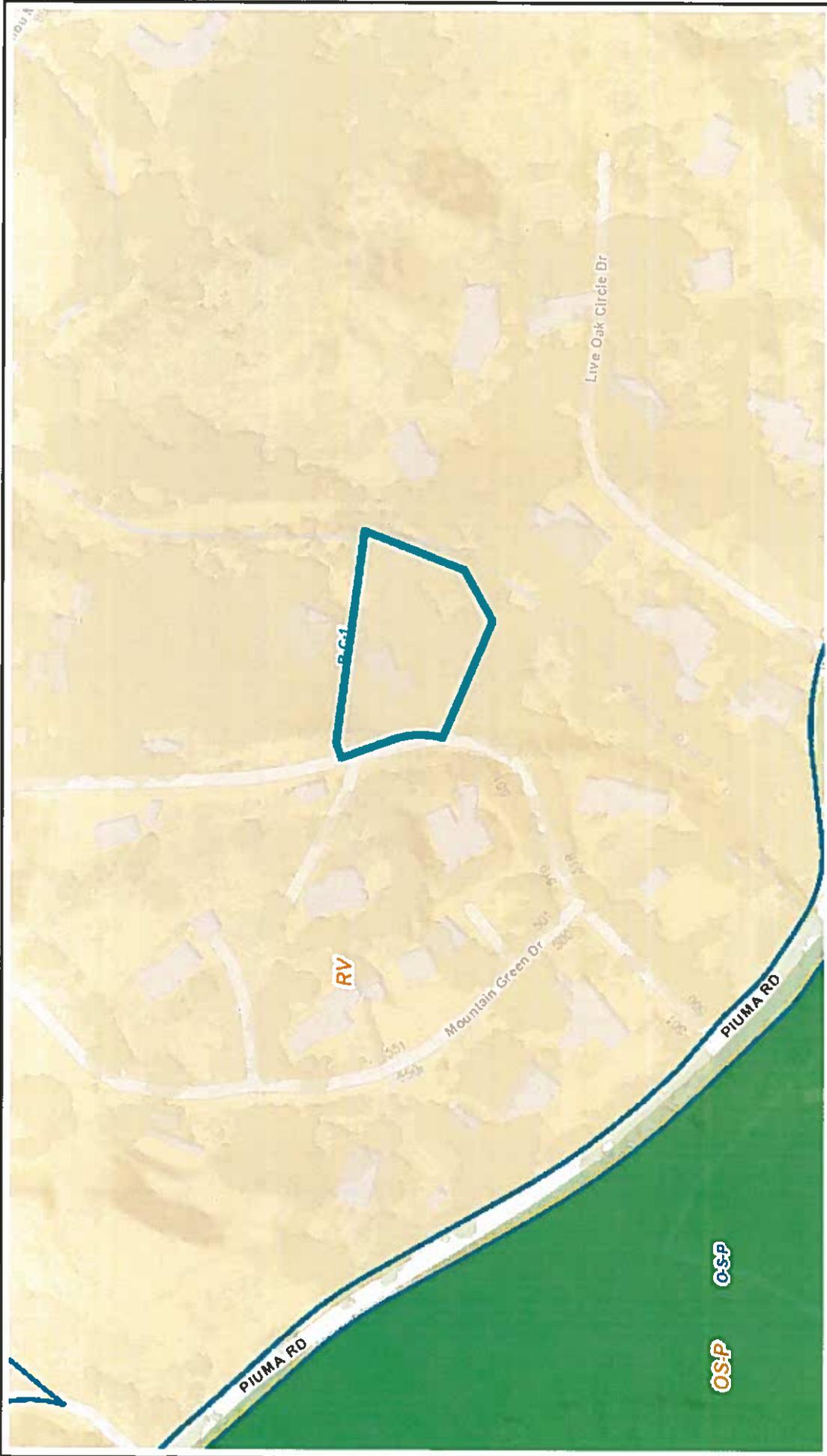
DEAR



0) MASTER BEDRM (7'x10') (TO BE REMOVED)



10 THE DEAD VIEW

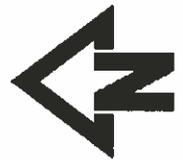


## Zoning and Land Use

**588 Crater Camp Dr. (4456-005-002)**

Printed: Jun 15, 2016

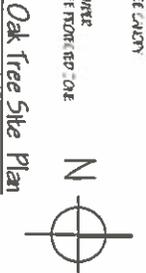
Copyright 2013 - Los Angeles County Department of Regional Planning, GIS Section. Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET3. The map should be interpreted in accordance with the GIS-NET3 Public disclaimer statement. Printed with permission from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





- ① REFER TO PLAN FOR REVISIONS
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TREE #	HT	TRUNK 1	TRUNK 2	TRUNK 3
1	2.13		2.27	
2	2.42			
3	2.26			
4	1.51		1.80	
5	2.15			
6	1.68		2.27	
7	1.83			
8	1.75		1.80	
9	1.17			
10	3.12			
11	0.78			
12	0.78			
13	0.78			
14	0.78			
15	0.78			
16	0.78			
17	0.78			
18	0.78			
19	0.78			
20	0.78			
21	0.78			
22	0.78			
23	0.78			
24	0.78			
25	0.78			
26	0.78			
27	0.78			
28	0.78			
29	0.78			
30	0.78			
31	0.78			
32	0.78			
33	0.78			



Oak Tree Site Plan

SHEET: <b>A2.2</b>	JOB NO. FILE DRAWN BY DATE	STAMP	APPROVAL	<b>OAK TREE PLAN</b> (REVISED 11/10/15)	JOHNSON RESIDENCE 588 Crater Camp Drive Calabasas, California	DAVID FREEDMAN, AIA 28407 Renee Drive Agoura Hills, California 213.200.4258
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**PROJECT DESCRIPTION & KEY NOTES**

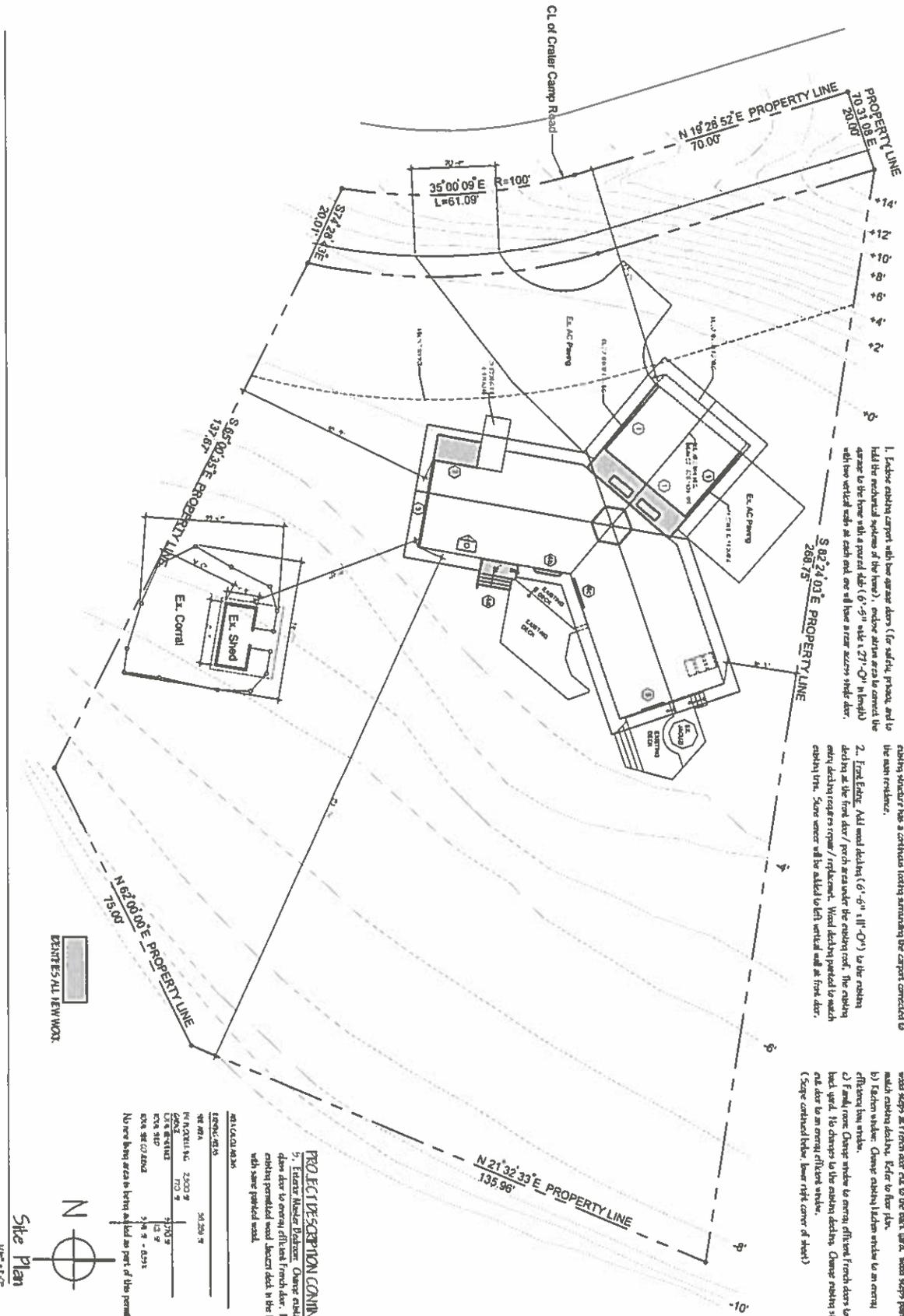
The subject property is a single family home located in the Near Arroyo area, Calabasas, California. The home was demolished and built in 1970. The property will continue to be used as a single family home.

The proposed construction consists of adding garage doors to an existing carport, outdoor shower area between the carport and pool area and outdoor shower. The existing carport has a poured concrete slab and shares a continuous subterranean footing and structure of roof beams with the home. The proposed project is further described in detail as follows:

1. Existing existing carport with two garage doors (6' x 9' and 12' x 12') to be added to the home with a porch slab (6' x 9' and 12' x 12') in length with two vertical walls at each end and one will have a rear access single door.

2. Front Entry: Add wood double 6'-6" x 11'-0" to the existing deck at the front door porch area under the existing roof. The existing entry deck is to be removed / replaced. Wood decking to be added to the existing porch. Stone veneer will be added to left vertical wall at front door.

3. Existing Living Room: Add stone veneer from ground level to bottom of existing walls at exterior end of living. Refer to elevations.
4. Back Side of Home:
  - a) Open roof: Change value to energy efficient French doors. Add wood slaps at front door end to the back yard. Wood slaps to be added to match existing deck. Refer to floor plan.
  - b) Existing shower: Change existing shower to an energy efficient shower.
  - c) Front porch: Change value to energy efficient French doors to end to back yard. 18' changes to the existing deck. Change existing stone end door to an energy efficient window. (Scope contained below, lower right corner of sheet)



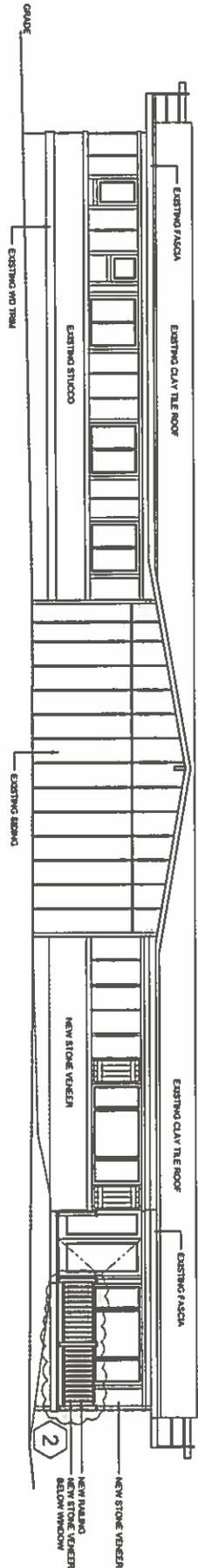
DELETED ALL NEW WORK

**PROJECT DESCRIPTION CONTINUED**  
 5. Existing Master Bedroom: Change existing shower door to an energy efficient French door. Repair existing perimeter wood shower deck in the future with same finished wood.

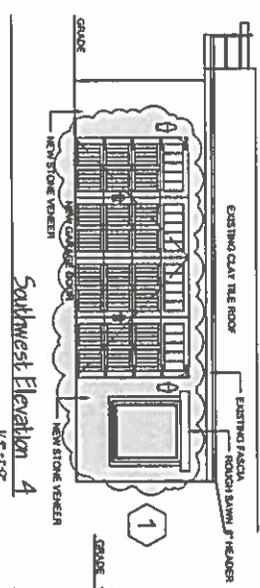
REVISION	DATE	DESCRIPTION
1	11/10/15	ISSUED FOR PERMITS
2	11/10/15	ISSUED FOR PERMITS
3	11/10/15	ISSUED FOR PERMITS
4	11/10/15	ISSUED FOR PERMITS
5	11/10/15	ISSUED FOR PERMITS



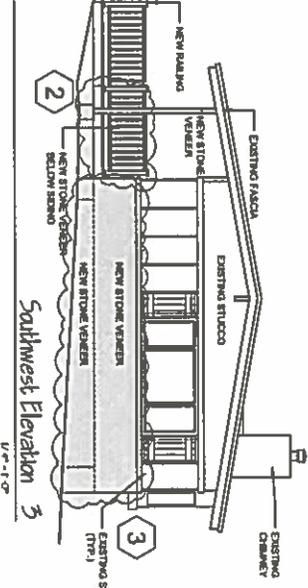




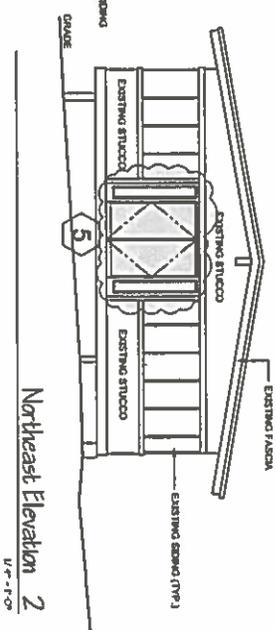
Northwest Elevation 1  
1/8" = 1'-0"



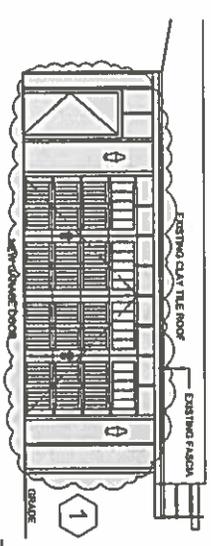
Southwest Elevation 4  
1/8" = 1'-0"



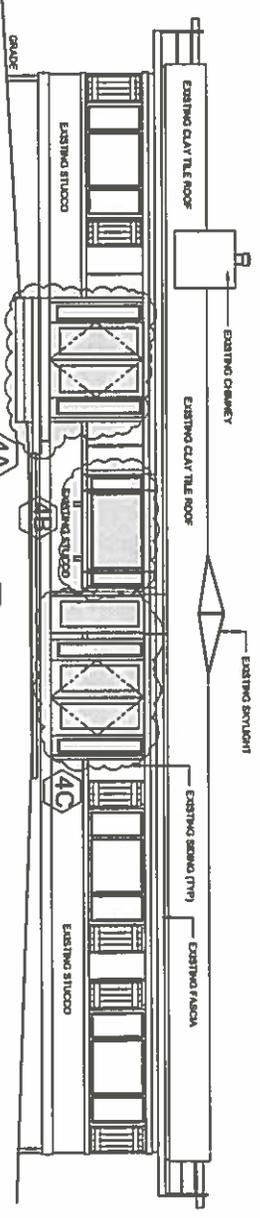
Southwest Elevation 3  
1/8" = 1'-0"



Northwest Elevation 2  
1/8" = 1'-0"



Northwest Elevation 6  
1/8" = 1'-0"



South East Elevation 5  
1/8" = 1'-0"

REFER TO SHEET A2.1 FOR KEY NOTES