



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

April 19, 2016

Eric & Donna Gierst  
39423 Calle el Jornado  
Green Valley, CA 91390

**REGARDING: OAK TREE PERMIT NO. RPPL2015000333  
15225 CALLE LOS HIDALGOS, GREEN VALLEY (APN 3228-022-028)**

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

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

**Appeals:**

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

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

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

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

Robert Glaser, Supervising Regional Planner  
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance  
c: DPW (Building and Safety); Zoning Enforcement

RG:TH

**FINDINGS AND ORDER  
OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
OAK TREE PERMIT NO. RPPL2015000333**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. RPPL2015000333 ("OTP") on April 19, 2016.
2. The permittee, Eric and Donna Gierst ("permittee"), requests the OTP to authorize the encroachment into the protected zone of eleven (11) oak trees, with no removal of oak trees ("Project"), located at 15225 Calle Los Hidalgos (APN: 3228-022-028) in the unincorporated community of Green Valley ("Project Site") in the R-1 (Single Family Residential) zone pursuant to Part 16 of Chapter 22.56 of the Los Angeles County Code ("County Code").
3. The Project Site is 1.02 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with sloping topography and is undeveloped.
4. The Project Site is located in the Bouquet Canyon Zoned District and is currently zoned R-1.
5. The Project Site is located within the H9 (Residential 9) land use category of the Antelope Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: R-1
  - South: R-1
  - East: R-1, W (Watershed)
  - West: R-1
7. Surrounding land uses within a 500-foot radius include:
  - North: Single-family residences
  - South: Vacant, single-family residences
  - East: Vacant, Angeles National Forest
  - West: Vacant, single-family residences
8. Ordinance No. 7361 was adopted by the Board of Supervisors on July 1, 1958, which established the zoning of the property to R-1-7,500 (Single-Family Residence with a One Acre minimum Required Lot Size). Ordinance No. 2015-0021Z was adopted by the Board of Supervisors on June 16, 2015 which changed the zoning of the property to R-1 (Single-Family Residence). Oak Tree Permit Number 201200015 was approved on September 18, 2012, and authorized the encroachment into the protected zone of 11 oak trees, with no removal of oak trees for the development of a single-family residence. Plot Plan Number 200800994 was

approved on September 18, 2012 and authorized the development of a single-family residence. Both authorizations expired two years from the date of approval. Neither authorizations were initiated and have since expired, requiring re-authorization.

9. The site plan for the Project depicts a new 3,362 square foot two-story single-family residence with attached two car garage, a deck, septic system, and an existing private well. The property slopes upward from west to east with an elevation of 3,035 feet at the lowest part of the property to 3,095 feet at the highest part of the property. All oak trees are clustered on the northern and western side of the property. The proposed single-family residence is located on the eastern side. No parts of the physical structure encroach into the protected zone of any oak trees and no oak trees will be removed. The proposed driveway will encroach upon Oak Trees No. 1, 2, 3, 8, 9, 24, and 36; the septic system on Oak Trees No. 1, 8, 9, 13, 14, 16, and 19; and utility lines will encroach upon Oak Tree No. 1.
10. The Project Site is accessible via Calle Los Hidalgos to the west and Calle El Jardin to the east. Primary access to the Project Site will be via an entrance/exit on Calle Los Hidalgos. Secondary access to the Project Site will be via an entrance/exit on Calle El Jardin.
11. A total of thirty-seven (37) oak trees are located on the site and identified as *Quercus agrifolia*, commonly known as Coast Live Oak, in an oak tree report dated December 22, 2015, prepared by Donna Gierst. Of the 37 oak trees, the protected zone of 11 oak trees will be encroached upon.
12. The County Forester and Fire Warden reviewed the Project and cleared it for hearing in a letter dated February 24, 2016, with recommended conditions. The County Fire Department reviewed and approved the fuel modification plan related to the Project in a letter dated January 12, 2016.
13. 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 zone of 11 oak trees, with no removals, in connection with the development of a single-family residence. The Class 4 categorical exemption consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. As such, the project will not have a significant effect on the environment and is not an exception to this categorical exemption.
14. Prior to the Hearing Officer's public hearing, the Department of Regional Planning staff received no comments.
15. A duly-noticed public hearing was held on April 19, 2016 before Hearing Officer Bruce Durbin. Staff presented the Project and recommended approval. The

applicants, Eric and Donna Gierst, testified in support of the project. There was no further testimony. The Hearing Officer did not have any questions, closed the public hearing, found the project categorically exempt, and approved the project.

16. The Hearing Officer finds that the proposed use is consistent with the policies of the General Plan and Antelope Valley Area Plan. The project site is located within the H9 (Residential 9) land use category of the Antelope Valley Area Plan. This designation is intended for the development of single-family residences at a density of up to 9 dwelling units per net acre of land. The encroachment into the protected zone of the 11 oak trees is for the development of a single-family residence on a 1.02 acre site and is therefore consistent with the permitted use of the underlying land use category. General Plan Policy LU 6.1 (Page 88) encourages the protection of rural communities from the encroachment of incompatible development that conflict with existing land use patterns and service standards. General Plan Policy LU 6.2 (Page 88) encourages land uses and developments that are compatible with the natural environment and landscape. General Plan Policy LU 10.2 (Page 90) encourages the design of development adjacent to natural features in a sensitive manner to complement the natural environment. The project protects rural community character by requiring the analysis of impacts to the 11 oak trees that the proposed single-family residence will encroach upon. As it is located in a rural area with many oak trees, the project will maintain the character of the existing community by not removing any oak trees and developing the single-family residence in a sensitive manner that takes the existing landform and oak trees into consideration. Antelope Valley Area Plan Policy COS 16.1 (Page COS-10) discourages the clear-scraping of land and ensure that a large percentage of land is left in its natural state. The design of the proposed single-family residence sites the structure away from the clusters of oak trees and avoids the removal of any oak trees, thus preserving and maintaining the existing oak trees.
17. The Hearing Officer finds that the proposed use is consistent with the R-1 zoning classification because the single-family residence is permitted in the R-1 Zone pursuant to Section 22.20.070 of the County Code.
18. The Hearing Officer finds that the proposed use comply with the single-family residence development standards and height limit as required by Sections 22.20.105 and 22.20.110 of the County Code. The maximum height allowed is 35 feet and the proposed single-family residence is 27'-3".
19. The Hearing Officer finds that the proposed single-family residence complies with the minimum yard requirements of Section 22.20.120 of the County Code. The proposed front yard setback will be 65 feet, with an additional 5-foot-wide future road street dedication, reducing the required front yard to 60 feet. The proposed side yard setback will be 90 feet on the west side and 16 feet on the east side. The proposed rear yard setback will be 100 feet. An additional 5 feet is required for future street dedication in the eastern side yard and southern front yard. Calle El Jardin, located along the eastern boundary of the property, and Calle Los Hidalgos, located along the southern boundary of the property, are public rights-of-way. The existing road right-of-way width for both streets is 30 feet, with a planned right-of-

way width of 50 feet for Calle Los Hidaigos and 54 feet for Calle El Jardin. Due to the limited building setback of the neighboring properties and the future development patterns of the surrounding neighborhood, the Department of Public Works in a letter dated March 11, 2009 recommended the required width for both streets be reduced to 40 feet. This means an additional future dedication of 5-foot-wide is required for Calle El Jardin and Calle Los Hidaigos.

20. The Hearing Officer finds that pursuant to Section 22.56.2130 of the County Code, the community was properly notified of the public hearing by mail and newspaper. Additionally, the Project was noticed and case materials were available on Regional Planning's website. On March 3, 2016, a total of 24 Notices of Public Hearing were mailed to those on the courtesy mailing list for the Bouquet Canyon Zoned District and to any additional interested parties.
21. The Hearing Officer finds that approval of this Oak Tree Permit, requiring adherence to the conditions of this permit, as well as the County Forester's conditions, will ensure that the proposed development will be accomplished without endangering the health of the oak trees.
22. The Hearing Officer finds that 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 and supports the approval of the Oak Tree Permit, subject to conditions. Therefore, the proposed construction and encroachment into the protected zone of the subject 11 oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.
23. The Hearing Officer finds that pursuant to the oak tree report submitted by the applicant and verified by the County Forester that the building footprint of the single-family residence avoids encroachment into the protected zones of any oak trees. However, the location of the driveway, septic system, and utility lines has been sited in a manner to minimize the number of oak trees it encroaches upon but is unable to completely avoid encroachment. Therefore, the proposed encroachment into the protected zone of the oak trees is necessary as the current 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.
24. The Hearing Officer finds that the Project avoids removal of any oak trees and has complied with the requirements of the Oak Tree Permit procedure as outlined in Part 16 of Chapter 22.56 of the County Code. Therefore, the proposed encroachment into the protected zone of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
25. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at

the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

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

26. The proposed construction will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, on the subject property.
27. 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.
28. The proposed encroachment into the protected zone of the oak trees is necessary as the current 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.
29. The proposed encroachment into the protected zone of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

**THEREFORE, THE HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15304 of the State CEQA Guidelines (Class 4, Minor Alterations to Land categorical exemption); and
2. Approves Oak Tree Permit No. RPPL2015000333, subject to the attached conditions.

**ACTION DATE: APRIL 19, 2016**

RG:TH  
4/19/16

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
OAK TREE PERMIT NO. RPPL2015000333**

**PROJECT DESCRIPTION**

The project is a request to authorize the encroachment into the protected zone of eleven (11) oak trees (Oak Trees No. 1, 2, 3, 8, 9, 13, 14, 16, 19, 24, and 36), identified as *Quercus agrifolia*, commonly known as Coast Live Oak, in an oak tree report dated December 22, 2015, prepared by Donna Gierst to construct a new single-family residence concurrently being processed through Plot Plan Number RPPL2016000718 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 and the attached County Forester's letter dated February 24, 2015. 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 and may be coordinated with the County Forester.

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.

#### PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

15. This grant shall authorize the encroachment within the protected zones of eleven (11) oak trees (Oak Trees No. 1, 2, 3, 8, 9, 13, 14, 16, 19, 24, and 36) of the oak genus *Quercus agrifolia*, commonly known as Coast Live Oak, as shown on the approved site plan (Exhibit A).
16. This permit shall not be effective until a plot plan is approved for the construction of the 3,362 square foot single-family residence, demonstrating the need to encroach upon the said trees.
17. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division letter dated February 24, 2016 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.
18. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree

permit and conditions are in the possession of a responsible person and also available at the site.

Attachments:

County Forester's Letter dated February 24, 2016



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 890-4330

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

February 24, 2016

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

Dear Thuy Hua:

**OAK TREE PERMIT NUMBER 2015-000333**  
**PROJECT NUMBER RPPL 2015-000333**  
**15225 CALLE LOS HIDALGOS, GREEN VALLEY**

We have reviewed the "Request for Oak Tree Permit #2015-000333." The project is located at 15225 Calle Los Hidalgos in the unincorporated area of Green Valley. 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 Donna Gierst, the consulting arborist, dated December 22, 2015.

**We recommend the following as conditions of approval:**

### OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of

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

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

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 eleven (11) trees of the Oak genus identified as Tree Numbers 1, 2, 3, 8, 9, 13, 14, 16, 19, 24 and 36 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