



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

October 18, 2016

Keltie Cole, Vice President of Community Development  
Foremost Companies  
16130 Ventura Blvd, Suite 480  
Encino, CA 91436

**REGARDING: PROJECT NO. 99-239-(5)  
OAK TREE PERMIT NO. RPPL 2016003378  
ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT NO. 99-239  
  
NORTH OF 118 FREEWAY BETWEEN TOPANGA CANYON ROAD AND  
CANOGA AVENUE, CHATSWORTH**

Dear Applicant,

The Hearing Officer, Mr. Bruce Durbin, by his action of October 18, 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 November 1, 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. 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.

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. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

For questions or for additional information, please contact Lynda Hikichi of the Land Divisions Section at (213) 974-6433, or by email at lhikichi@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



Kim K. Szalay, AICP  
Supervising Regional Planner  
Land Divisions Section

Enclosures: Findings and Conditions of Approval  
Affidavit of Acceptance (Permittee's Completion)  
Notice of Determination (1 original, 1 copy)

c.: Board of Supervisors  
DPW (Building and Safety)  
Zoning Enforcement  
Steve Cameron (Foremost Companies)

KKS:LKH

**FINDINGS OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. 99-239- (5)  
OAK TREE PERMIT RPPL 2016003378**

1. The Los Angeles County Hearing Officer ("Hearing Officer"), Mr. Bruce Durbin, conducted a duly noticed public hearing in the matter of Project No. 99-239, consisting of Oak Tree Permit ("OTP") RPPL 2016003378 on October 18, 2016.
2. The applicant, Forestar Chatsworth ("permittee"), requests an Oak Tree Permit to authorize the removal of 56 oak trees of the oak genus (*Quercus agrifolia*) and encroachment within the protected zone of 40 oak trees ("Project"). Twenty-five of the forty (40) encroachments are proposed within the Deerlake Ranch ("Deerlake", "TR53138") Project site. The Deerlake Ranch Project entails 368 lots: 314 single-family lots (including three flag lots), one park lot, one Sheriff Station lot, one horse rest area lot, one debris basin lot, one helispot lot, one recreational center lot, 25 open space lots, 23 private driveway and fire lane lots, and one remainder parcel. The Deerlake Ranch Project has been conditioned to provide off-site improvements to extend a sewer line to provide service to the Twin Lakes residential community. Fifteen (15) of the forty (40) encroachments are required for the Twin Lakes Sewer Improvement Project.
3. The Deerlake Ranch and Twin Lakes Sewer Improvement project sites are located north of 118 Freeway (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
4. The Deerlake Ranch Project site is 232 gross acres and irregularly-shaped with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. The Deerlake Ranch Project site is vacant. Twin Lakes is a residential community located south of the Deerlake Ranch Project site.
5. The access to the Deerlake Ranch Project site is via Poema Place (a 64-foot-wide dedicated public street) and Canoga Avenue (a variable-width dedicated public street). The two entry gates are located at the intersections of Poema Place and Bull Finch Road, and Poema Place and Canoga Avenue. The residences located behind the entry gates will take access from internal private driveways and fire lanes, which take access from Poema Place and Canoga Avenue.
6. The Deerlake Ranch property is depicted within the Non-Urban (R) and Rural Communities (RC) land use categories of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acre.
7. The Deerlake Ranch project site is currently zoned A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential -

- 6,000 Square Feet Minimum Required Lot Area). The project site has been zoned R-1-6000 and A-1-1 since the adoption of Ordinance 7505 on April 14, 1959. The Ordinance became effective on May 15, 1959.
8. The Deerlake Ranch Project is required to comply with the development standards of the A-1-1 and R-1-6,000 Zones. Single-family residences are permitted uses within the A-1-1 and R-1-6,000 Zones.
  9. The Exhibit "A" to the Oak Tree Permit RPPL 2016003378 depicts both the Deerlake Ranch and Twin Lakes Sewer Improvement project sites. The Exhibit "A" shows the locations and their impacts for the 154 inventoried oak trees. Sheet 1 of the Oak Tree Impact Exhibit and Protection Plan is illustrated in larger scale, and shows the Twin Lakes Sewer Improvement Project site and the southern portion of the Deerlake Ranch Project site. Sheet 2 of the Oak Tree Impact Exhibit and Protection Plan is also illustrated in larger scale and shows the northern portion of the Deerlake Ranch Project site. The Exhibit maps depict 153 oak trees, oak tree #85 is located 1,400 feet northeast of the project site and is not depicted on the Exhibit map. The tables on the Exhibit maps list 154 oak trees, which includes 56 oak tree removals, 40 encroachments (25 encroachments within the Deerlake Ranch and 15 encroachments within the Twin Lakes Sewer Improvement project sites), and 58 oak trees (56 oaks within the Deerlake Ranch and two oak trees within Twin Lakes) with no impacts.
  10. Per Oak Tree Permit No. 201200001, twenty-two (22) oak trees have already been removed: 1, 2, 3, 4, 5, 6, 7, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 73, 76. There are seven (7) oak trees permitted for removal per OTP No. 201200001 but are still standing: 11, 12, 13, 14, 55, 64, 66. An additional 27 oak trees are proposed for removal: 31, 83, 86, 87, 95, 96, 97, 98, 99, 100, 101, 102, 103, 110, 111, 112, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124. Oak Tree Permit RPPL 2016003378 will authorize the removal of 56 (22 already removed plus the seven (7) still standing permitted previously for removal plus the 27 additional oak trees total 56 oak tree removals) within the Deerlake Ranch Project site.
  11. A total of 25 oak tree encroachments into the protected zones are proposed within the Deerlake Ranch Project site: 8, 9, 21, 22, 23, 24, 25, 26, 27, 54, 56, 57, 58, 59, 60, 67, 68, 74, 84, 142, 143, 144, 145, 146, 154.
  12. Within the Twin Lakes Sewer Improvement Project site, a total of 15 encroachments into the protected zones are proposed: 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 147.

13. The Forester recommends approval of this Project and finds that the Oak Tree Report is accurate and complete as to the location, size, condition and species of the oak trees on the site.
14. The Forester issued an updated letter on October 18, 2016 recommending approval of the OTP, which included a list of requirements and conditions.
15. An Addendum to the certified Final Environmental Impact Report ("FEIR") No. 99-239 for the original tentative tract map and associated permits was prepared in compliance with the California Environmental Quality Act ("CEQA") and the County environmental guidelines to account for the proposed changes/modifications. The Addendum concluded that the oak tree permit would not result in any increased or additional environmental impacts beyond those which were analyzed in the FEIR, and therefore concluded that a supplemental environmental analysis was not required.
16. The Deerlake Ranch property contains an Oak Woodland, as defined by the California Department of Fish and Wildlife Code Section 1361.h and by the *Los Angeles County Oak Woodlands Conservation Management Plan Guide*. Regional Planning staff has determined there may be impacts to this resource for the Project.
17. There were two phone calls and one email inquiring about the project. One comment letter opposing oak tree removals, development, and sewers was received via mail on October 17, 2016.
18. At the October 18, 2016 public hearing, Keltie Cole (Vice President of Community Development, Forestar Chatsworth, LLC) made a presentation. Ms. Cole thanked Department of Regional Planning and Forestry. In her presentation, Ms. Cole stated that Forestar purchased the property two years ago and has been operating from the 2012 Oak Tree Permit. Many of the oak trees believed to have died from the Sesnon Fire had actually survived, and these trees are now a part of the current oak tree permit request. The current oak tree permit request also includes oak trees acquired through the purchase of the Not-A-Part parcels. To comply with the condition to construct a sewer line within the Twin Lakes community, some of the oak trees will need to be encroached. The sewer line will be constructed under the existing roads. Forestar has purchased 60 acres of land as mitigation for the oak woodlands and has dedicated the land to MRCA in 2005. 122 oak trees were purchased and delivered to MRCA in January 2016. 85 of the 122 oak trees were planted in 2016 and the remaining trees will be planted in the fall. The 60 acres of land was purchased to meet the mitigation measure for the loss of oak woodlands. Actually, the oak woodlands will be saved by providing a bridge over the area. There are no heritage oaks within the Deerlake Ranch Project. The Devil's

Canyon area has been dedicated to the MRCA in 2005. Many of the 353 inventoried trees from the FEIR were located within the Devil's Canyon. 1,669 trees will be planted as part of the landscaping plan for the Deerlake Ranch Project. In addition to the 122 mitigated oak trees, 216 Coast Live oak trees will be planted as part of the landscaping plan.

Christy Cuba (arborist) and Peter Gutierrez (applicant's representative from Latham & Watkins) were also available to answer questions.

Kathry Adams, a resident of Twin Lakes, expressed concerns about trees that have been removed and their impacts on the community. She asked the Hearing Officer to define "encroachment."

Ms. Cole explained that the trees that have been removed were located within the Deerlake Ranch property and located along the path of development; and they were pepper trees. There were no nesting birds within these trees and they have documentation. They also removed eucalyptus trees since they are invasive. Every year, a meeting is held to update the community about the project.

Mr. Gutierrez reiterated that there are no oak removals within the Twin Lakes community.

The Hearing Officer recommended that the issues related to the pepper tree removals brought up by Ms. Adams could be addressed at the next community meeting. The Hearing Officer also congratulated Ms. Cuba on a stellar oak tree report.

19. The Hearing Officer finds that the Deerlake Ranch Project site is located within the Non-Urban (R) and Rural Communities (RC) land use categories of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acre. Non-urban residential uses are permitted subject to established density, design and service standards; and rural communities are essentially clustered non-urban settlements that vary in terms of size and intensity of development. The proposed clustered development of 314 single-family residential lots is consistent with the permitted uses of the underlying land use categories.
20. The Hearing Officer finds that the Deerlake Ranch Project site is located within the R-1-6000 and A-1-1 zones. The proposed single-family residential uses are consistent with the permitted uses of the underlying zones. The proposed project will be subject to all development standards and guidelines of the R-1 and A-1 zones.

21. The Hearing Officer finds that the Project satisfies the Oak Tree Permit Burden of Proof findings in Section 22.56.2060 of the County Code. The proposed use can be accomplished without endangering the health of the remaining oak trees on the project sites. An oak tree report has been prepared by Carlberg Associates, the consulting arborist.
22. In addition to the mitigation measures, protective measures recommended by the Forester, consulting arborist, and department staff biologist will be placed to help protect the remaining trees and will help to avoid harmful effects. The proposed removals are unavoidable for the development of 314 single-family residences, driveways and fire lanes, etc. The encroachments are also necessary and unavoidable for the development of 314 single-family homes and the sewer line extensions within the Twin Lakes residential community. The oak tree removals and encroachments for the Deerlake Ranch Project and the Twin Lakes Sewer Improvement Project will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
23. The Hearing Officer finds that mitigation trees of the oak genus must be provided at a ratio of two to one for each oak tree removed for a minimum total of 112 required mitigation trees, in accordance with the requirement from the Forester and County Code Section 22.56.2180.A.6.
24. The Hearing Officer finds that an acorn of the same species must be planted within the irrigation circle of each mitigation oak tree.
25. The Hearing Officer finds that the property is within an Oak Woodland as defined by the California Department of Fish and Wildlife Code Section 1361.h as "an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover." The staff biologist has confirmed that the Deerlake Ranch Project site contains Oak Woodland. Because of the Oak Woodland, the Project was reviewed by the staff biologist, who provided recommendations for the project. The policies of the *Los Angeles County Oak Woodlands Conservation Management Plan Guide* were also used to review the Project.
26. The Hearing Officer finds that the proposed Project may have a substantial adverse effect on the Oak Woodland. Implementation of the Forester's recommendations will protect the remaining trees and the integrity of the Oak Woodland. Planting of mitigation trees in the off-site conserved area will establish new oak woodland and restore oak woodland in a conserved area of the same watershed and comply with the State Oak Woodlands requirements of PRC §21083.4.

The Hearing Officer finds that the recommendation by the staff biologist for a monitoring period of seven years instead of three for the oak trees is necessary.

27. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act ("CEQA") and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
28. The Hearing Officer finds that pursuant to the provisions of Section 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by mail, newspapers (The Daily News and La Opinion), library postings, and Department of Regional Planning ("Regional Planning") website posting. A total of 404 postcard notices were mailed to the property owners (389) within a 1,000-foot radius of the project site and those on the courtesy mailing list (15). Library packages consisting of project materials were sent to the Chatsworth Branch Library and the San Fernando County Library.
29. A duly noticed public hearing was held on October 18, 2016 before the Hearing Officer. Staff recommended approval of the Oak Tree Permit and Addendum to the Final Environmental Impact Report.
30. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is 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 Land Divisions Section, Regional Planning.

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

- A. The proposed construction of the proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Title 22 of the County Code, on the subject property. Monitoring the health of the remaining trees will provide information on whether additional mitigation trees are needed for planting on the off-site mitigation area.
- B. In addition to the above facts, the following finding applies: The removal of the oak trees proposed is necessary as continued existence at the present locations 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.

- C. The removal or the encroachment 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. Adopts the addendum to the FEIR and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves Oak Tree Permit RPPL 2016003378, subject to the attached conditions and recommendations.

KKS:LKH  
October 18, 2016

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. 99-239-(5)  
OAK TREE PERMIT RPPL 2016003378**

**PROJECT DESCRIPTION**

The applicant, Forestar Chatsworth ("permittee"), requests an Oak Tree Permit to authorize the removal of 56 oak trees of the oak genus (*Quercus agrifolia*) and encroachments within the protected zone of 40 oak trees ("Project"). Twenty-five of the forty (40) encroachments are proposed within the Deerlake Ranch ("Deerlake", "TR53138") Project site. The Deerlake Ranch Project entails 368 lots: 314 single-family lots (including three flag lots), one park lot, one Sheriff Station lot, one horse rest area lot, one debris basin lot, one helispot lot, one recreational center lot, 25 open space lots, 23 private driveway and fire lane lots, and one remainder parcel. The Deerlake Ranch Project has been conditioned to provide off-site improvements to extend a sewer line to provide service to the Twin Lake residential community. Fifteen (15) of the forty (40) encroachments are required for the Twin Lakes Sewer Improvement Project. The Project is subject to the following conditions:

**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 County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to

cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

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

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

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the recordation date of the final phasing map. 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. The permittee shall deposit with the County the sum of \$1,400.00. 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 seven inspections. The required inspection shall be unannounced.

10. 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 enforcement efforts necessary to bring the subject property into compliance. The amount charged for inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised site plan approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification 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**

17. The permittee shall comply with all mitigation measures contained in the Mitigation Monitoring Program ("MMP") associated with Final Environmental Impact Report ("FEIR") 99-239.
18. This grant shall authorize the removal of 56 oak trees (1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 31, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 64, 66, 73, 76, 83, 86, 87, 95, 96, 97, 98, 99, 100, 101, 102, 103, 110, 111, 112, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124) and 40 encroachments (25 within the Deerlake Ranch: 8, 9, 21, 22, 23, 24, 25, 26, 27, 54, 56, 57, 58, 59, 60, 67, 68, 74, 84, 142, 143, 144, 145, 146, 154; and 15 within the Twin Lakes: 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 147) as shown on the Exhibit Maps.
19. The permittee shall plant one acorn of the same species within the irrigation circle of each mitigation oak tree.
20. The permittee shall comply with all conditions and requirements contained in the County Forester and Fire Warden, Forestry Division, letter dated October 18, 2016 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.

**Attachments:**

County Forester's Letter dated October 18, 2016



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

October 18, 2016

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

Dear Lynda Hikichi:

**OAK TREE PERMIT NUMBER RPPL 2016-003378  
PROJECT NUMBER 99-239  
DEERLAKE RANCH PROJECT, CHATSWORTH**

We have reviewed the "Request for Oak Tree Permit #RPPL 2016-003378." The Deerlake Ranch Project is located in the unincorporated area of Chatsworth. Due to project changes, the Department of Regional Planning has requested that the County Forester review this new Oak Tree Report in conjunction with conditions and findings of the existing Oak Tree Permit ROAK 2012-00001. The applicant has agreed to reduce the number of removals and encroachments associated with ROAK 2012-00001. In return, Regional Planning has agreed to allow additional removals and encroachments in other areas of Deerlake Ranch and the neighboring community of Twin Lakes. Regional Planning has requested that the County Forester draft revised conditions to consolidate these changes as new Oak Tree Permit #RPPL 2016-003378. The County Forester has reviewed the Oak Tree Report and found it to be 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 Christy Cuba, the consulting arborist, dated August 2, 2016.

**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

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

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

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 \$500. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and four (4) 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's 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 REMOVAL AND ENCROACHMENT:**

7. This grant allows the removal of fifty-six (56) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Number 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 31, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 64, 66, 73, 76, 83, 86, 87, 95, 96, 97, 98, 99, 100, 101, 102, 103, 110, 111 (dead), 112, 113 (dead), 114, 115 (dead), 117, 118, 119, 120, 121, 122, 123, and

124 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of forty (40) trees of the Oak genus identified as Tree Number 8, 9, 21, 22, 23, 24, 25, 26, 27, 54, 56, 57, 58, 59, 60, 67, 68, 74, 84, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 142, 143, 144, 145, 146, 147, and 154 on the applicant's site plan and Oak Tree Report.

Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.
9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

#### **MITIGATION TREES:**

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of one hundred six (106) trees. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments. In addition, any tree that reaches ordinance size during the life of the project shall be included in this permit and mitigation shall be consistent with measures specified above.
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

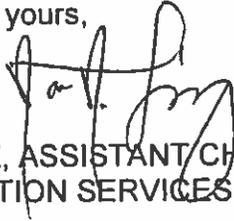
Lynda Hikichi, Planner  
October 18, 2016  
Page 5

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