

REPORT TO THE HEARING OFFICER

DATE ISSUED: April 4, 2024

HEARING DATE: April 16, 2024 AGENDA ITEM: 5

PROJECT NUMBER: PRJ2021-001317-(5)

PERMIT NUMBER: Oak Tree Permit ("OTP") RPPL2021003429

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: 815 Madre Street, Pasadena

OWNER: Kien Buong Duong and Ay Huon

APPLICANT: Kien Buong Duong and Ay Huon

CASE PLANNER: Anthony M. Curzi, Regional Planner
acurzi@planning.lacounty.gov

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:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number PRJ2021-001317-(5), OTP RPPL2021003429, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE OAK TREE PERMIT NUMBER RPPL2021003429 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

OTP to authorize the removal of one (dead) non-heritage oak tree and encroachment into the protected zone of 12 non-heritage oak trees, eight of which have been pruned, associated with the construction of a new single-family residence ("SFR") in the R-1-40,000 (Single-Family Residence – 40,000 Square Feet Minimum Required Lot Area) Zone pursuant to Los Angeles County ("County") Code Section 22.174.030 (Applicability).

B. Project

The Project is a request to remove one (dead) non-heritage oak tree (tree number 565) and encroach into the protected zone of 12 non-heritage oak trees (identified as tree numbers 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) to allow for the construction of a new 4,572-square-foot SFR with with detached six-car garage, driveway, tennis court, and basketball court and associated landscaping. [under associated Site Plan Review (SPR) No. RPPL2021003434]. An Oak Tree Report, prepared by Ted and Jeannine Lubeshkoff, dated May 10, 2022, identified the trees as coast live oaks and concluded that impacts to the oak trees are not expected to cause significant negative impacts to their health or structure. There are a total of 24 oak trees on the subject property. The 12 encroached-upon trees are summarized in the table below:

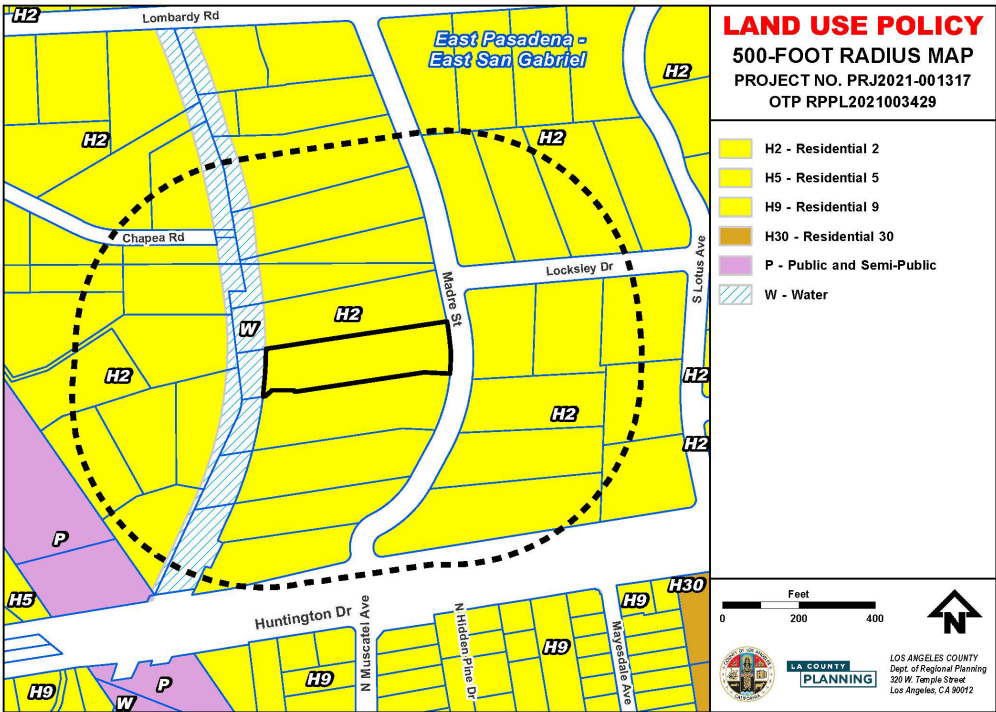
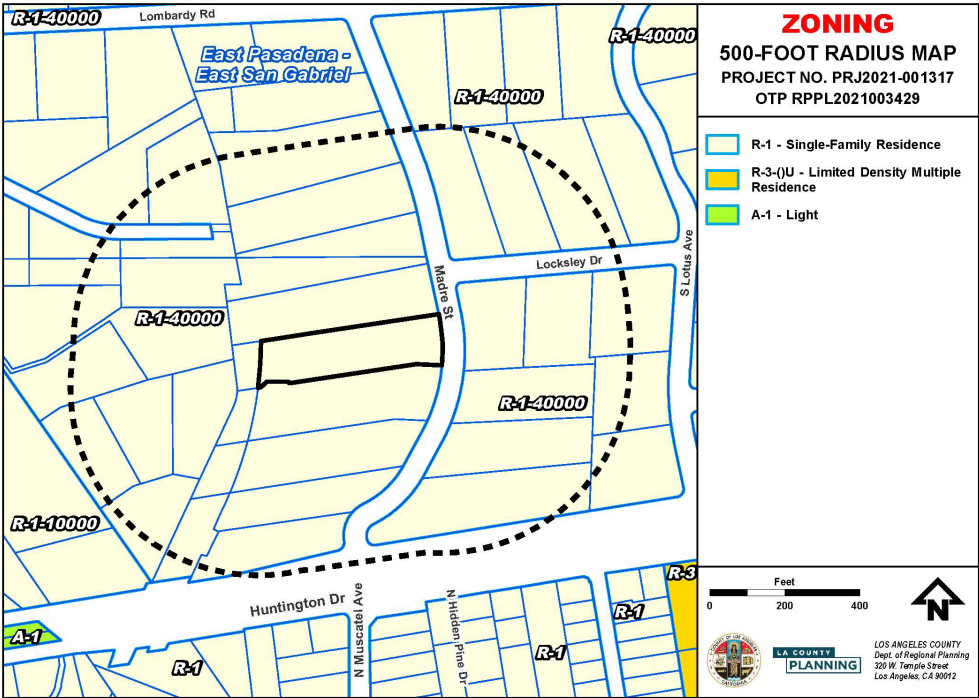
Oak Tree #	DBH (Diameter at Breast Height) (in inches)	Height (in feet)	Health	Encroachment
562	14.5	30	Fair	Driveway
563	12, 13, 13.5, 16.5	50	Poor	Driveway
564	25	50	Fair	Driveway, branches larger than 2" diameter pruned
566	23	40	Poor	Sewer Line, branches larger than 2" diameter pruned
567	23	40	Fair	Sewer Line, branches larger

				than 2" diameter pruned
568	24	40	Poor	Branches larger than 2" diameter pruned
573	17.5	40	Poor	Basketball court
574	32	55	Fair	Branches larger than 2" diameter pruned
575	23	55	Fair	SFR, branches larger than 2" diameter pruned
577	19.5	55	Fair	SFR
578	27	60	Fair	SFR
582	22, 16	40	Good	Driveway

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	H2 (Residential 2 – 0 to 2 dwelling units per net acre)	R-1-40,000	Proposed SFR
NORTH	H2	R-1-40,000	SFRs
EAST	H2	R-1-40,000	SFRs
SOUTH	H2	R-1-40,000	SFRs
WEST	W (Watershed), H2	R-1-40,000	SFRs



PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
ZCO 42	Zone 1 – Single Family Residence	September 6, 1927
ZCO 1959	R-1 (Single Family Residence)	July 11, 1931
ZCO 4359	E-1 (Single Family Residence - 40,000 Square Feet Minimum Required Lot Area)	May 17, 1944
ZCO 4368	E-1	June 13, 1944
ZCO 10042	R-1-20,000 (Single Family Residence – 20,000 Square Feet Minimum Required Lot Area)	June 16, 1970
ZCO 910024Z	R-1-40,000	February 12, 1991

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
SPR No. RPPL2021003434	Construct new SFR	Pending

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
NONE	NA	NA

ANALYSIS

A. Land Use Compatibility

While the OTP is for the removal of one non-heritage oak tree and encroachment into the protected zone of 12 additional non-heritage oak trees, the proposed new SFR and associated accessory structures would be compatible with the surrounding area in terms of size, massing and use, thus maintaining the residential character of the neighborhood without removal of any existing oak trees. Surrounding land uses consist of other SFRs and accessory structures. The addition of a new SFR and accessory structures on a vacant property will not be out of character with the neighborhood. The oak tree that is proposed for removal is located on the north-central portion of the lot, near the proposed underground electrical line and sewer line, the rest of the oak trees are primarily located along the perimeter of the property.

B. Neighborhood Impact (Need/Convenience Assessment)

The impacts to the oak trees from the encroachments will be minor and are not expected to cause significant effects to their health or structures, resulting in the continued benefits of the trees to the surrounding area. The oak tree to be removed is dead and will be mitigated with the on-site planting of two 15-gallon coast live oak trees and the pruning of the eight coast live oaks will be mitigated with the on-site planting of eight 15-gallon coast live oak trees.

C. Design Compatibility

While the Project is for the removal of one non-heritage oak tree and encroachment into the protected zone of 12 non-heritage oak trees, the associated proposed new SFR and accessory structures would be compatible with the single-family residential character of the surrounding area. The new two-story SFR and associated sports courts will be located on areas of the property generally without trees and vegetation. Maintaining 23 oak trees on the property will ensure the benefits of the oak trees to the community remain. The Project Site is located within the East Pasadena-East San Gabriel Community Standards District. All applicable development standards for the proposed structures will be verified before the related SPR is approved.

GENERAL PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Section 22.174.060 (Findings) of the County Code. The Burden of Proof with applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures and Class 4 Exemption, Minor Alterations to Land) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project involves the encroachment into the protected zone of 12 oak trees to allow the construction of a new SFR and accessory structures. The types of projects that typically fall within Class 3, include but are not limited to, SFRs, the construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 4 exemptions consist of alterations in the conditions of land where no removal of healthy, mature, or scenic trees are removed. The encroachment into the protected zone of oak trees

is a case of a minor alteration in the condition of land and where no live trees will be removed. The one tree to be removed is dead and will be mitigated by the on-site planting of two 15-gallon coast live oak trees.

No exceptions to the Categorical Exemption are found to apply to the Project per section 15300.2 of the California Code of Regulations. The subject property is not located within or near an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. The surrounding area is an urbanized residential neighborhood. The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. No significant effect due to unusual circumstances and no cumulative impacts are anticipated. The arborist report stated, because of the existing moderately degraded condition of the oak woodland and the planting of 10 mitigation oaks, along with drought-tolerant landscaping that will be compatible with the oaks, the overall impact on the oak woodland by the project is less than significant. As such, the affected oak trees are part of a highly degraded oak woodland due to decades of development in this residential community. Consequently, there are no significant impacts due to woodland condition. Therefore, County Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The County Fire Department, in a letter dated November 23, 2021, recommended the Project proceed to public hearing with the required conditions of approval.

B. Other Agency Comments and Recommendations

Staff has not received any comments at the time of report preparation.

C. Public Comments

Staff has not received any comments at the time of report preparation.

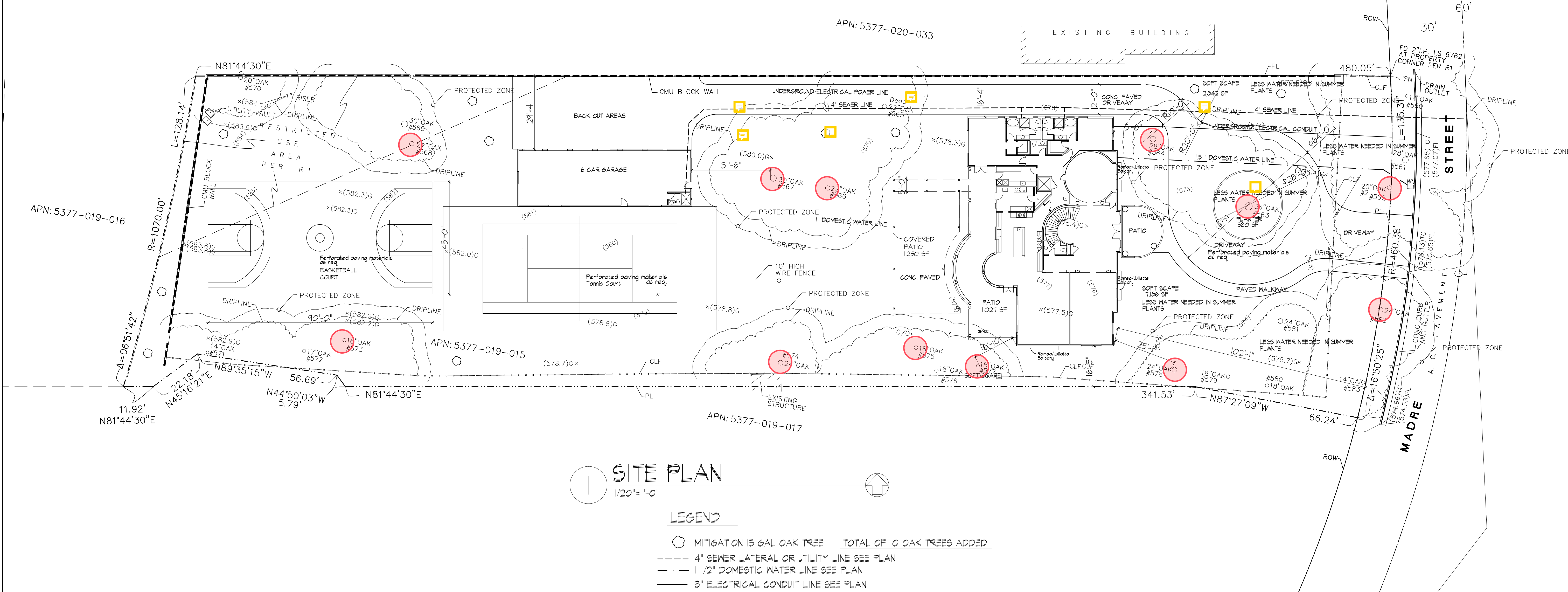
Report
Reviewed By: Michele R. Bush
Michele R. Bush, Supervising Planner

Report
Approved By: Susan M. Tae
Susan M. Tae, AICP, Assistant Deputy Director

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence
EXHIBIT J	Oak Tree Report

DUONG SINGLE FAMILY HOUSE

815 MADRE STREET PASADENA CA.



1

SITE PLAN

1/20"=1'-0"

LEGEND

MITIGATION 15 GAL OAK TREE

4" SEWER LATERAL OR UTILITY LINE SEE PLAN

- - -

1/2" DOMESTIC WATER LINE SEE PLAN

3" ELECTRICAL CONDUIT LINE SEE PLAN

OWNER: DUONG FAMILY
JOB ADDRESS: 815 MADRE STREET,
PASADENA, CA
ARCHITECT: JWDA MS ARCHITECTS
8932 E. MISSION DR. #101
ROSEMEAD CA 91770
PHONE: 626 2889199
EMAIL: jwda@sbcglobal.net
CONTACT PERSON: MICHAEL SUN
SEAN
EMAIL: tofindgoodmansean@gmail.com

PROPERTY INFORMATION
LOT AREA: 124.75'X480.05'=61,258 S.F.
LEGAL DESCRIPTION
APN #: 5377-019-015

SCOPE OF WORK:
BUILD NEW SINGLE FAMILY HOUSE (8478 SF)
ON THIS VACANT LOT

LIVING AREA:
FIRST FLOOR 4,573 SF
SECOND FLOOR 3,905 SF
TOTAL 8,478 SF < 9,000 SF

5 BEDROOM 5 BATHROOM 2 POWDER ROOM
6 CAR DETACHED PARKING GARAGE > 3 REQUIRED

ZONE: R-1-40000
OCCUPANCY GROUP: R-3 /U
CONSTRUCTION TYPE: V-B

COVERAGE PROPOSED 7,686 SF
MAIN HOUSE : 4,572 SF
FRONT ENTRY PORCH : 136 SF
REAR PORCH : 1,027 SF
BALCONY 1 (SIDE YARD) 107 SF
BALCONY 2 (FRONT YARD) 84 SF
BALCONY 3 (FRONT YARD) 84 SF
GARAGE 1,610 SF
BBQ DECK RESTROOM 66 SF
COVERED PATIO 1250 SF

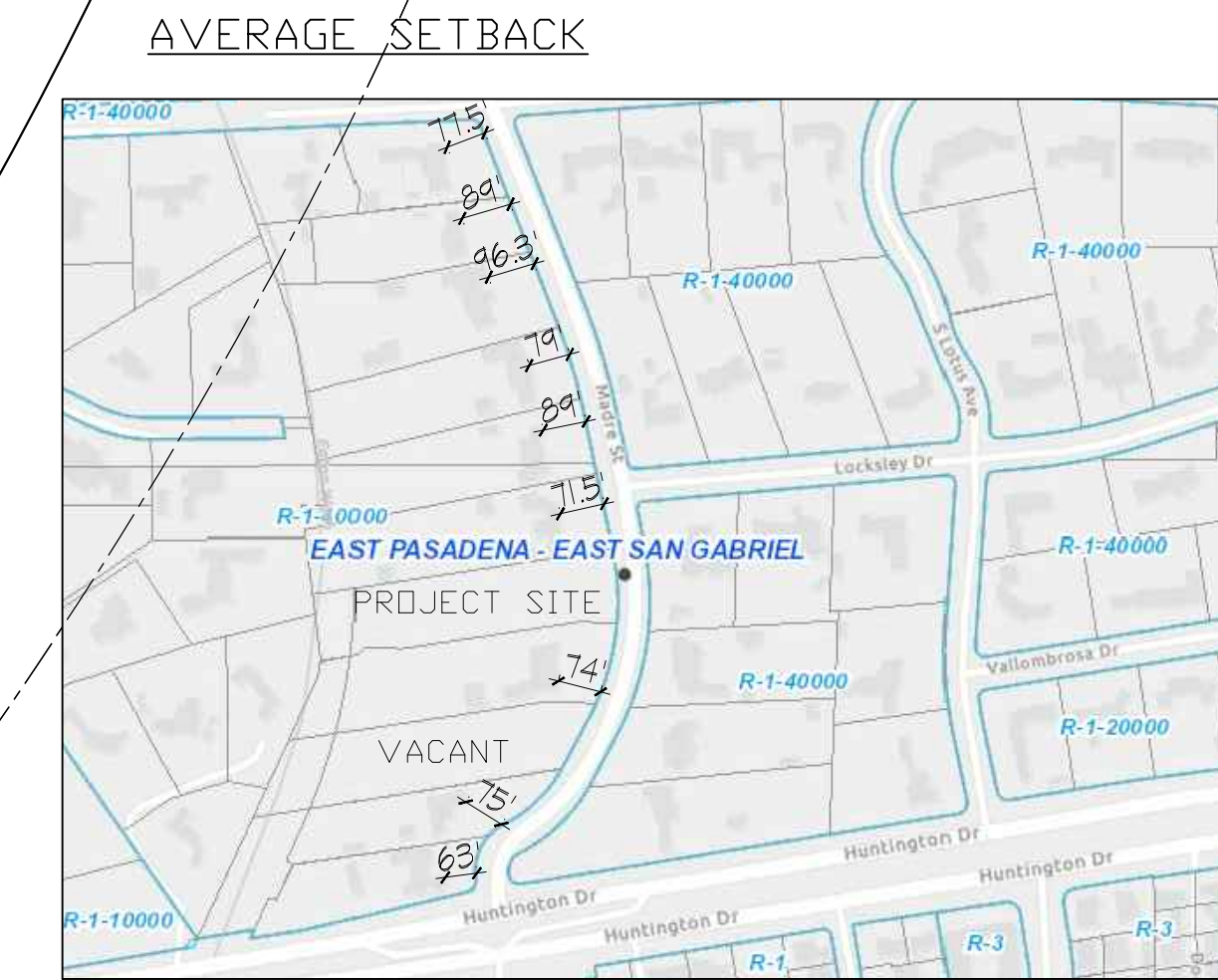
TOTAL 8,936 SF < 9,000 SF

BUILDING HEIGHT
MAIN HOUSE 2 STORY PLUS ROOF 33'-7" < 35'
DETACHED PARKING GARAGE 16'-3"
FRONT YARD LANDSCAPING
10,608 SF SOFTSCAPE / 14211 SF FRONT YARD =74% > 50 %
DISTANCE BETWEEN MAIN HOUSE AND GARAGE = 30'

SET BACK
FRONT 102'-01' > AVERAGE 79.3'
NORTH SIDE 16'-4" > 10% 12.5'
SOUTH SIDE 16'-4" > 10% 12.5'
REAR 205'-3"

PARKING PROVIDED
6 CAR GARAGE FOR MAIN HOUSE

SHEET INDEX
A-10.01 SITE PLAN
A-20.01 FIRST FLOOR PLAN
A-20.02 2ND FLOOR PLAN
A-20.03 ROOF PLAN
A-20.04 GARAGE PLANS
A-30.01 ELEVATIONS
A-30.02 ELEVATIONS



77.5'+89'+96.3'+79'+89'+71.5'+74'+75'+63'=714.3'
714.3'/9=79.3'

REVISIONS:

PRODUCT NAME:
Duong single family house

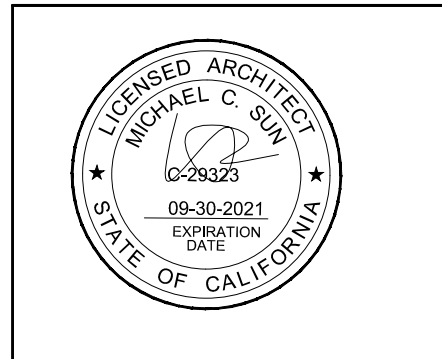
815 MADRE STREET
PASADENA, CA

All items, methods, arrangements, and plans indicated or represented by this drawing are the property of JWDA-MS Architects, Inc. and are to be used only for the project and site shown. No part of this drawing is to be reproduced, stored in a retrieval system, or used in any form, or by any means, without the written permission of JWDA-MS Architects, Inc. The drawings are to be used only for the project and site shown, and no part of this drawing is to be used for any other project or site without the written permission of JWDA-MS Architects, Inc.

JWDA-MS Architects

ARCHITECTURE / INTERIOR DESIGN / PLANNING

8932 E Mission Dr. #101
Rosemead, California 91770
Phone (626) 288-9199 Fax (626) 288-9159



SHEET TITLE:
SITE PLAN

DATE PRINTED:	Feb/02/2022
DATE:	Feb/02/2022
SCALE:	1" = 20'-0"
DRAWN:	
JOB NO:	8406
SHEET	A10.01
OF	SHEETS



PROJECT NUMBER PRJ2021-001317-(5)
HEARING DATE April 16, 2024
REQUESTED ENTITLEMENT
Oak Tree Permit (OTP) No. RPPL2021003429

PROJECT SUMMARY

OWNER / APPLICANT

Kien Buong Duong and Ay Huon

MAP/EXHIBIT DATE

August 10, 2021

PROJECT OVERVIEW

A request for an OTP to allow for the removal of one (dead) non-heritage oak tree (tree number 565) and the encroachment into the protected zone of 12 non-heritage oak trees, eight of which have been pruned, (tree numbers 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) associated with the construction of a new two-story, 4,572-square-foot single-family residence with detached six-car garage, tennis court, and basketball court (under associated Site Plan Review RPPL2021003434) on a property in unincorporated Pasadena. All oak trees are identified as coast live oaks in an arborist report prepared by Ted and Jeannine Lubeshkoff dated May 10, 2022. The County Forester has reviewed the Project's arborist report and has issued a clearance letter with recommended conditions on November 23, 2021.

LOCATION

815 Madre Street, Pasadena

ACCESS

Madre Street

ASSESSORS PARCEL NUMBER

5377-019-015

SITE AREA

1.38 Acres

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

East Pasadena

LAND USE DESIGNATION

H2 (Residential 2 - 0 to 2 dwelling units per net acre)

ZONE

R-1-40,000 (Single Family Residence – 40,000 Square Feet Minimum Required Lot Area)

PROPOSED UNITS

1

MAX DENSITY/UNITS

2

COMMUNITY STANDARDS DISTRICT

East Pasadena - East San Gabriel

ENVIRONMENTAL DETERMINATION (CEQA)

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures
Class 4 Categorical Exemption – Minor Alterations to Land

KEY ISSUES

- Consistency with the County General Plan
 - Satisfaction of the following portions of Title 22 of the County Code:
 - Chapter 22.174 (Oak Tree Permits)
 - Section 22.18.040 (Development Standards for Residential Zones)
 - Chapter 22.318 (East Pasadena - East San Gabriel Community Standards District)
-

CASE PLANNER:

Anthony M. Curzi

PHONE NUMBER:

(213) 893 - 7016

E-MAIL ADDRESS:

acurzi@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2021-001317-(5)
OAK TREE PERMIT NO. RPPL2021003429

RECITALS

1. **HEARING DATE.** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing in the matter of Oak Tree Permit ("OTP") No. **RPPL2021003429** on April 16, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The permittee, Kien Buong Duong and Ay Huon ("permittee"), requests the OTP to authorize the removal of one (dead) non-heritage oak tree (tree number 565) and encroachment into the protected zone of 12 non-heritage oak trees, eight of which have been pruned, (identified as tree numbers 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) associated with the construction of a new single-family residence ("SFR") and associated accessory structures [to be reviewed under separate permit - Site Plan Review ("SPR") No. RPPL2021003434] ("Project") on a property located at 815 Madre Street in unincorporated Pasadena ("Project Site") in the R-1-40,000 (Single-Family Residence - 40,000 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section 22.174.030 (Applicability).
4. The encroached-upon oak trees range in size from 12 inches in diameter at breast height ("DBH") to 32 inches at DBH. All trees are identified as coast live oak trees in an oak tree report prepared by Tedd and Jeannine Lubeshkoff, dated May 10, 2022. The report concluded impacts to the oak trees are not expected to cause significant negative impacts to tree health or structure. There are a total of 24 oak trees on the subject property. The 12 encroached-upon trees are summarized in the table below:

Oak Tree #	DBH (Diameter at Breast Height) (in inches)	Height (in feet)	Health	Encroachment
562	14.5	30	Fair	Driveway
563	12, 13, 13.5, 16.5	50	Poor	Driveway
564	25	50	Fair	Driveway, branches larger than 2" diameter pruned
566	23	40	Poor	Sewer Line, branches larger

				than 2" diameter pruned
567	23	40	Fair	Sewer Line, branches larger than 2" diameter pruned
568	24	40	Poor	Branches larger than 2" diameter pruned
573	17.5	40	Poor	Basketball court
574	32	55	Fair	Branches larger than 2" diameter pruned
575	23	55	Fair	SFR, branches larger than 2" diameter pruned
577	19.5	55	Fair	SFR
578	27	60	Fair	SFR
582	22, 16	40	Good	Driveway

5. **LOCATION.** The Project Site is located within the East Pasadena - East San Gabriel Community Standards District ("CSD") and West San Gabriel Valley Planning Area.
6. **LAND USE DESIGNATION.** The Project Site is located within the H2 (Residential 2 - 0 to 2 dwelling units per net acre) land use category of the County General Plan Land Use Policy Map.
7. **ZONING.** The Project Site is located in the East Pasadena Zoned District and is currently zoned R-1-40,000. Pursuant to County Code Section 22.174.030 (Applicability), an OTP is required for the removal and encroachment into protected zones of oak trees.

8. SURROUNDING LAND USES AND ZONING

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	H2	R-1-40,000	SFRs
EAST	H2	R-1-40,000	SFRs
SOUTH	H2	R-1-40,000	SFRs
WEST	W (Watershed), H2	R-1-40,000	SFRs

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 1.38 acres (60,113 square feet) in size and consists of one legal lot. The Project Site is rectangular in shape with relatively flat topography and is presently vacant.

B. Site Access

The Project Site is accessible via Madre Steet, a 60-foot-wide public street, to the east. Primary access to the Project Site will be via an entrance/exit on Madre Street.

C. Site Plan

The site plan depicts the proposed SFR, detached six-car garage, sports courts, and the 24 on-site oak trees. The SFR is depicted toward the front (eastern) side of the lot with the garage and tennis court at the center of the property and the basketball court at the rear (western) end of the lot. The oak tree that is proposed for removal is located on the north-central portion of the lot, near the proposed underground electrical line and sewer line, the rest of the oak trees are primarily located along the perimeter of the property.

- 10. CEQA DETERMINATION.** Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, and Class 4, Minor Alterations in Land categorical exemptions 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 12 oak trees and removal of one dead, non-heritage oak tree, to allow the construction of a new SFR. The types of projects that typically fall within Class 3, include but are not limited to, SFRs, the construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 4 exemptions consist of alterations in the conditions of land where no removal of healthy, mature, or scenic trees are removed. The encroachment into the protected zone of oak trees is a case of a minor alteration in the condition of land where no live trees will be removed. The one tree to be removed is dead and will be mitigated by the on-site planting of two 15-gallon coast live oak trees.

No exceptions to the Categorical Exemption are found to apply to the Project per section 15300.2 of the California Code of Regulations. The subject property is not located within or near an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. The surrounding area is an urbanized residential neighborhood. The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. No significant effect due to unusual circumstances and no cumulative impacts are anticipated. The arborist report stated, because of the existing

moderately degraded condition of the oak woodland and the planting of 10 mitigation oaks, along with drought-tolerant landscaping that will be compatible with the oaks, the overall impact on the oak woodland by the project is less than significant. As such, the affected oak trees are part of a highly degraded oak woodland due to decades of development in this residential community. Consequently, there are no significant impacts due to woodland condition. Therefore, County Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.

11. The Project Site is presently vacant. The County Forester and Fire Warden ("Forester") has reviewed the Project for the requested removal and encroachments. The Forester requires proper temporary fencing to secure the protected zones during construction and the use of hand tools or hand-held power tools if trenching or clearance of vegetation is needed within the protected zones to reduce negative impacts on the roots. The arborist's tree protection measures and tree care instructions during construction will also be required. The two future inspections by the Forester will ensure that the trees survive, or if they do not survive that they are replaced. If an oak tree should die from the construction impacts, the permittee will be required to replace each such oak tree at a 2:1 ratio on the property and follow-up monitoring will continue to be required to ensure survival. These recommended conditions of approval by the Forester and the recommendations provided in the oak tree report are incorporated by reference in the OTP. They have been determined by the Forester to be sufficient to recover any potential losses to trees and woodland values.
12. **PUBLIC COMMENTS.** Staff has not received any comments at the time of report preparation.
13. **AGENCY RECOMMENDATIONS.** County Fire Department (Forestry Division): Recommended clearance to public hearing with conditions in a letter dated November 23, 2021.
14. **LEGAL NOTIFICATION.** Pursuant to Section 22.174.040.E.1.b (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by newspaper (*Pasadena Star News*). Additionally, the Project case materials were available on LA County Planning's website. On December 21, 2023, a total of 14 Notices of Public Hearing were mailed on the courtesy mailing list for the Altadena Zoned District and OTP courtesy lists, and any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

15. **LAND USE POLICY.** The Hearing Officer finds that the Project (a request to remove one dead non-heritage oak tree and encroach into the protected zone of 12 non-heritage oak trees) is consistent with the goals and policies of the General Plan because the H2 designation is intended for SFR development and associated accessory uses, a category into which this Project falls. The Hearing Officer further finds that the Project promotes the proposed SFR use and character of the surrounding area.

16. GOALS AND POLICIES. The Hearing Officer finds the Project is consistent with the following goals and policies of the General Plan:

- Goal LU 7: *Compatible land uses that complement neighborhood character and the natural environment.*
- Land Use Element, Policy 4.1: *Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.*
- Land Use Element, Policy 5.1: *Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types, and styles.*

Maintaining the oak trees with the new SFR use on the Project Site will ensure that the existing character of property will continue to be compatible with that of the neighborhood and surrounding natural environment. While the OTP is for the removal of one dead non-heritage oak tree and the encroachment into the protected zone of 12 non-heritage oak trees, the related construction of a new SFR and accessory structures would not conflict with the above goal and policies. This improvement will provide a new housing opportunity for the area. The location of the related proposed SFR, garage, and sports courts are sited in such a way to avoid major impacts to the encroached-upon oak trees.

ZONING CODE CONSISTENCY FINDINGS

17. PERMITTED USE IN ZONE. The Hearing Officer finds that the Project is consistent with the R-1-40,000 zoning classification as the removal of one dead non-heritage oak tree and the encroachment into the protected zone of 12 non-heritage oak trees to facilitate the construction of a new SFR, is permitted in such zone and subject to an OTP pursuant to County Code Section 22.174.030 (Applicability).

18. COMMUNITY STANDARDS DISTRICT. The Hearing Officer finds that while the Project is a request for the removal of one dead non-heritage oak tree and the encroachment into the protected zone of 12 non-heritage oak trees, the related proposed SFR on the property will be consistent with the standards identified in County Code Section 22.318.070.A (Zone Specific Development Standards), including required setbacks, and maximum lot coverage. The minimum front yard setback shall be the average depth of front yards on the same side of the street on the same block. The required front yard setback is 79.3 feet, the proposed SFR has a front yard setback of 102 feet. The side yard setback shall be 10 percent of the average lot width, but no less than five feet. The required side yard setback is 12 feet-5 inches, the proposed SFR has side yard setbacks of 16 feet-4 inches. The minimum rear yard depth is 40 feet. The proposed SFR has a rear yard setback of 205 feet-3 inches. The maximum lot coverage allowed is $(0.25 \times \text{net lot area}) + 1,000$ square feet, but in no case more than 9,000 square feet. The proposed SFR has a lot coverage of 8,936 square feet. All applicable development standards for the proposed structures will be verified before the related SPR is approved.

19. **PARKING.** The Hearing Officer finds that while the Project is a request for the removal of one dead non-heritage oak tree and the encroachment into the protected zone of 12 non-heritage oak trees, associated development of the SFR and accessory structures will be consistent with the standard identified in County Code Section 22.112.030.B (Exemptions). No parking is required for the proposed SFR as the property is greater than one acre in size. However, a six-car garage is proposed. All applicable development standards for the proposed structures will be verified before the related SPR is approved.

OAK TREE PERMIT FINDINGS

20. **The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to Title 22 regulations, if any, on the subject property.** Of the 24 coast live oaks on the property, 12 non-heritage oak trees will be encroached upon with the related construction of a new SFR and associated structures. One dead non-heritage oak tree is proposed for removal. No adverse impact to any live oak tree is anticipated. Conditions of approval have been required by the Forester, requiring the permittee to provide mitigation trees should any tree specified die as a result of the approved encroachments, at a ratio of 2:1.
21. **The Hearing Officer finds that the removal or relocation of the oak trees proposed will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.** The proposed Project requests the removal of one dead oak tree. The proposed removal and encroachments will not result in soil erosion. The subject oak trees are located at the perimeter of the property, near the side or front property lines.
22. **The Hearing Officer finds that the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that (i) Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or (ii) Placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized.** No removal or relocation of any live oak tree is proposed, only a dead oak tree. The Project also requests the encroachment into the protected zone of 12 non-heritage Coast Live Oaks. Given the location of such trees on the Project Site, the selected area for the SFR and accessory structures was the most reasonable and efficient and avoided impacts.
23. **The Hearing Officer finds that the removal 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.** No live oak trees will be removed—only one dead oak will be removed as part of the proposed Project. The dead oak tree may present a physical danger if left in place.

ENVIRONMENTAL FINDINGS

24. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15303 and 15304 (Class 3, Existing Facilities and Class 4 categorical exemptions). The County completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act ("CEQA"). The project qualifies as a Class 3 (New Construction or Conversion of Small Structures) and Class 4 (Minor Alterations to Land) under the Los Angeles County Environmental Reporting Guidelines and the State CEQA Guidelines Sections 15303 and 15304 because the request to remove one dead non-heritage oak tree and encroach into the protected zone of 12 non-heritage oak trees is related to minor alterations in the condition of private land and vegetation that do not involve the removal of healthy mature, scenic trees. The oak tree proposed to be removed is dead. This action is associated with the development of a new SFR.

Per section 15303 of the CEQA Statute and Guidelines, Class 3 is intended for the construction of small structures and facilities such as the proposed SFR. The arborist report stated, because of the existing moderately degraded condition of the oak woodland and the planting of 10 mitigation oaks, along with drought-tolerant landscaping that will be compatible with the oaks, the overall impact on the oak woodland by the project is less than significant. As such, the affected oak trees are part of a highly degraded oak woodland due to decades of development in this residential community. Consequently, there are no significant impacts due to woodland condition.

Per section 15304, Class 4 is intended for small-scale grading, new landscaping, and minor trenching, among other activities. The requested encroachments are considered minor impacts that would not result in further loss of an ecosystem. While the Project Site is currently vacant, the subject oak trees are largely at the perimeter of the lot, near the front and side property lines, leaving the majority of the site suitable for the construction of the SFR and associated appurtenances. Furthermore, the County Forester has reviewed the Project for the requested encroachments. The Project's conditions have been determined by the Forester to be sufficient to recover any losses to trees and woodland values, which include a replacement ratio of 2:1.

ADMINISTRATIVE FINDINGS

25. **LOCATION OF DOCUMENTS.** 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 LA County 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 Foothills Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to County Code Title 22 regulations, if any, on the subject property.
- B. There will be no removal or relocation of oak trees proposed that will result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.
- C. There will be no removal or relocation of oak trees proposed that is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that (i) Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or (ii) Placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized.
- D. There will be no removal of oak trees proposed that will 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 State CEQA Guidelines sections 15303 and 15304 (Class 3, New Construction or Conversion of Small Structures and Class 4, Minor Alterations to Land categorical exemptions categorical exemption); and
- 2. Approves **OAK TREE PERMIT NO. RPPL2021003429**, subject to the attached conditions.

ACTION DATE: April 16, 2024

MRB:AMC

April 16, 2024

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2021-001317-(5)
OAK TREE PERMIT NO. RPPL2021003429

PROJECT DESCRIPTION

The project is a request for an Oak Tree Permit to authorize the removal of one dead non-heritage oak tree and for the encroachment into the protected zone of 12 non-heritage oak trees (trees number 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) associated with the construction of a new two-story, 8,478-square-foot single-family residence ("SFR") and associated accessory structures 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 ("LA County 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 the attached County Forester and Fire Warden ("Forester") letter dated November 23, 2021. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 3, 4, 7, 8 and 14 shall be effective pursuant to Section 22.222.230 of the County Code.
3. 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.
4. 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 LA County 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 LA County 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.

5. 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.
6. 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.
7. 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.
8. 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. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. 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 **\$441.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of this grant. The fund provides for **one** inspection. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

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 LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$441.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

9. 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 22.238 of the County Code.
10. 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 ("Fire").
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
12. 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 LA County Planning ("Director").

PROJECT SITE-SPECIFIC CONDITIONS

13. This grant shall authorize the removal of one dead non-heritage oak tree and encroachment into the protected zone of 12 non-heritage oak trees (oak trees number 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) associated with the construction of new two-story, 8,478-square-foot single-family residence ("SFR") and associated accessory structures. The SFR and associated accessory structures are to be approved under separate approval (RPPL2021003434).
14. This grant shall not be effective until a site plan review is approved for the construction of the SFR and associated accessory structures.
15. The permittee shall comply with all conditions and requirements contained in the Fire Forester and Fire Warden ("Forester") letter dated November 23, 2021 (attached hereto), to the satisfaction of said Forester, except as otherwise required by the Forester and by these conditions.
16. In the event of the death of any oak tree as a result of the Project, the permittee shall:
 - a. 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.
 - b. 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 trees 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.
- c. 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.
17. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director and the Forester 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 and the 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 any mitigation trees planted as well as planting dates.

Attachments:

- Exhibit D-1 Fire Department Letter dated November 23, 2021
Exhibit D-2 Oak Trees: Care and Maintenance Guide



Los Angeles County Department of Regional Planning



Planning for the Challenges Ahead

OAK TREE PERMIT FINDINGS

Please identify the number of oak trees proposed for:

0 Removal 3 Encroachment 16 To Remain 19 Total existing oak trees

Pursuant to Section 22.174.060 (Findings and Conditions), the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

B.1 The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Title 22 regulations, if any, on the subject property.

The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees. 16 of the trees are to remain and be untouched. Applicant can use caissons to protect the 3 trees that are encroaching.

B.2 The removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

There are no trees to be removed.

B.3 In addition to the above facts, at least one of the following findings apply:

- a. That the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - i. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - ii. Placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- b. That the oak trees proposed for removal or relocation interferes with utility services 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 trees; or
- c. That the condition of the oak trees 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.

Rev. 03/2019

As stated above, only minor encroachment at south west patio area. The footing will be caisson when within 15' of the tree trunk.

B.4 The removal 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.

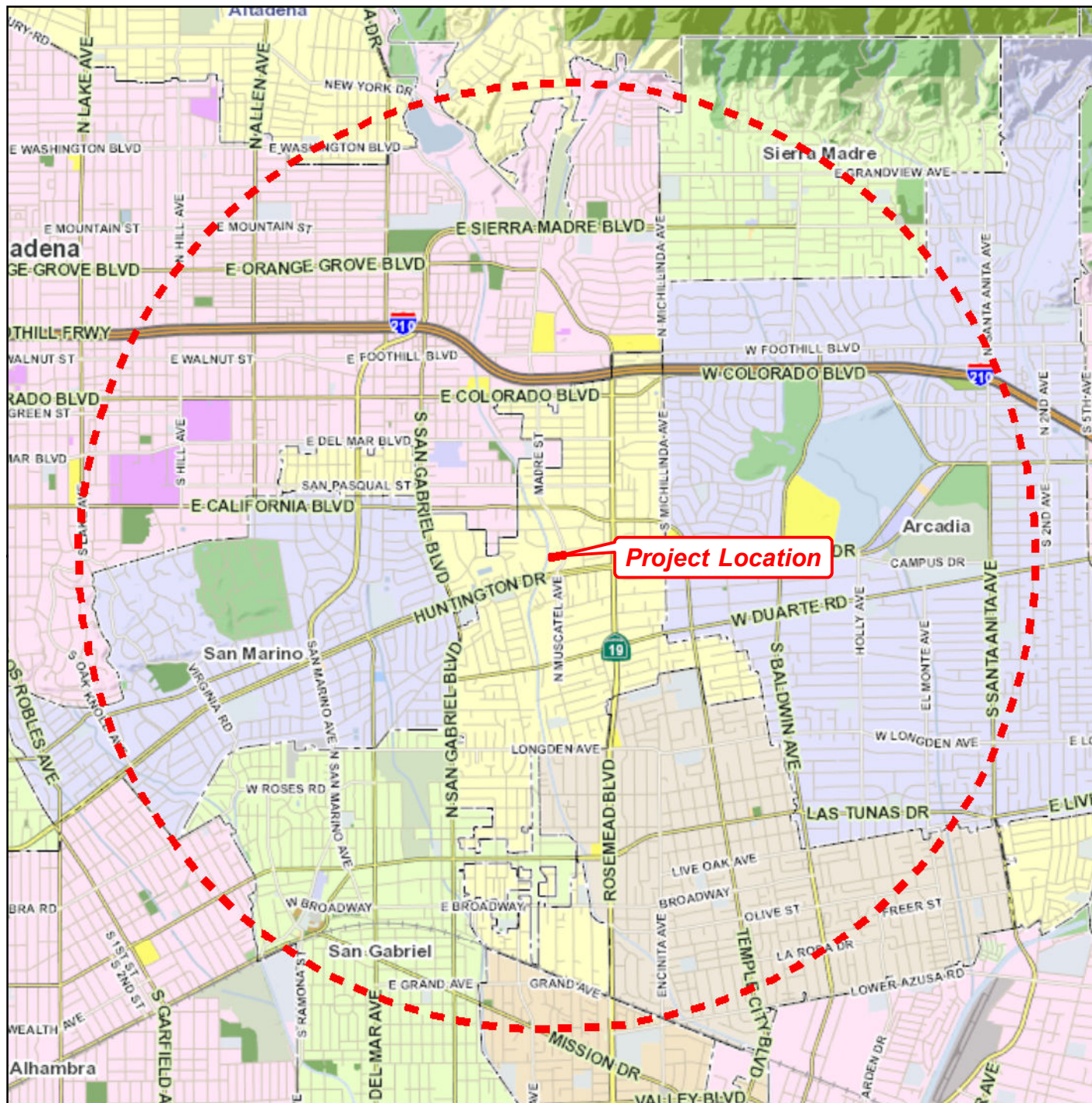
There will be no removal of oak tree

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: April 16, 2024
PROJECT NUMBER: PRJ2021-001317-(5)
PERMIT NUMBER: Oak Tree Permit (OTP) RPPL2021003429
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 815 Madre Street, Altadena
OWNER: Kien Buong Duong and Ay Huon
APPLICANT: Kien Buong Duong and Ay Huon
CASE PLANNER: Anthony M. Curzi, Regional Planner
acurzi@planning.lacounty.gov

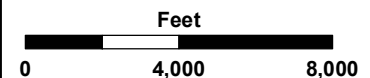
Los Angeles County ("County") completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act ("CEQA"). The project qualifies as a Class 3 (New Construction or Conversion of Small Structures) and Class 4 (Minor Alterations to Land) under the Los Angeles County Environmental Reporting Guidelines and the State CEQA Guidelines Sections 15303 and 15304 because the Project involved the encroachment into the protected zone of 12 oak trees to allow the construction of a new SFR. The types of projects that typically fall within Class 3, include but are not limited to, SFRs, the construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 4 exemptions consist of alterations in the conditions of land where no removal of healthy, mature, or scenic trees are removed. The encroachment into the protected zone of oak trees is a case of a minor alteration in the condition of land and where no live trees will be removed. No exceptions to the Categorical Exemption are found to apply to the Project per section 15300.2 of the California Code of Regulations. The subject property is not located within or near an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. The surrounding area is an urbanized residential neighborhood. The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. No significant effect due to unusual circumstances and no cumulative impacts are anticipated. The arborist report stated, because of the existing moderately degraded condition of the oak woodland and the planting of 10 mitigation oaks, along with drought-tolerant landscaping that will be compatible with the oaks, the overall impact on the oak woodland by the project is less than significant. As such, the affected oak trees are part of a

highly degraded oak woodland due to decades of development in this residential community. Consequently, there are no significant impacts due to woodland condition. Therefore, County Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.



3-MILE RADIUS LOCATOR MAP

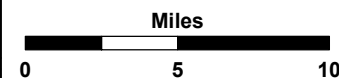
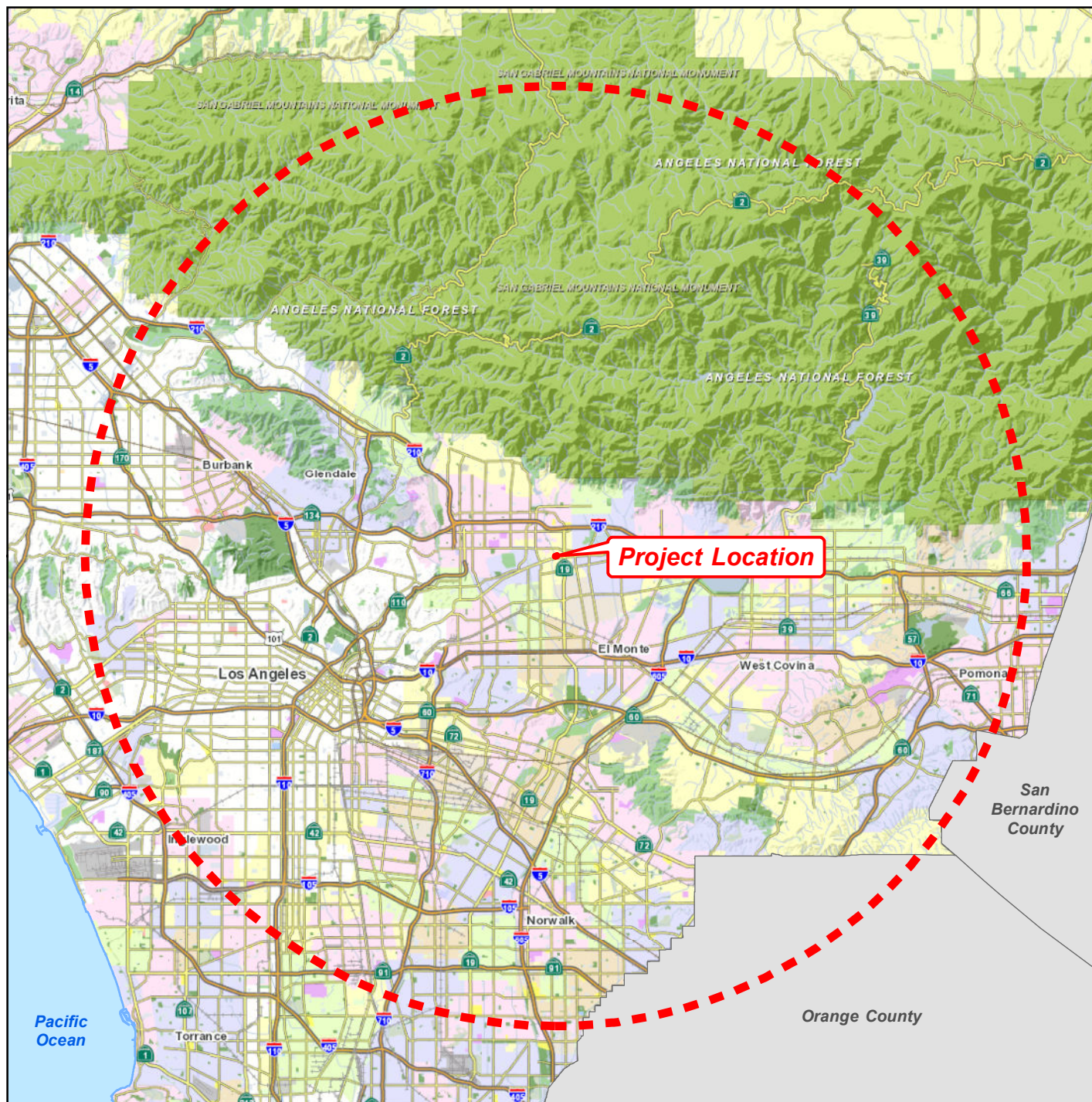
PROJECT NO. PRJ2021-001317
OTP RPPL2021003429



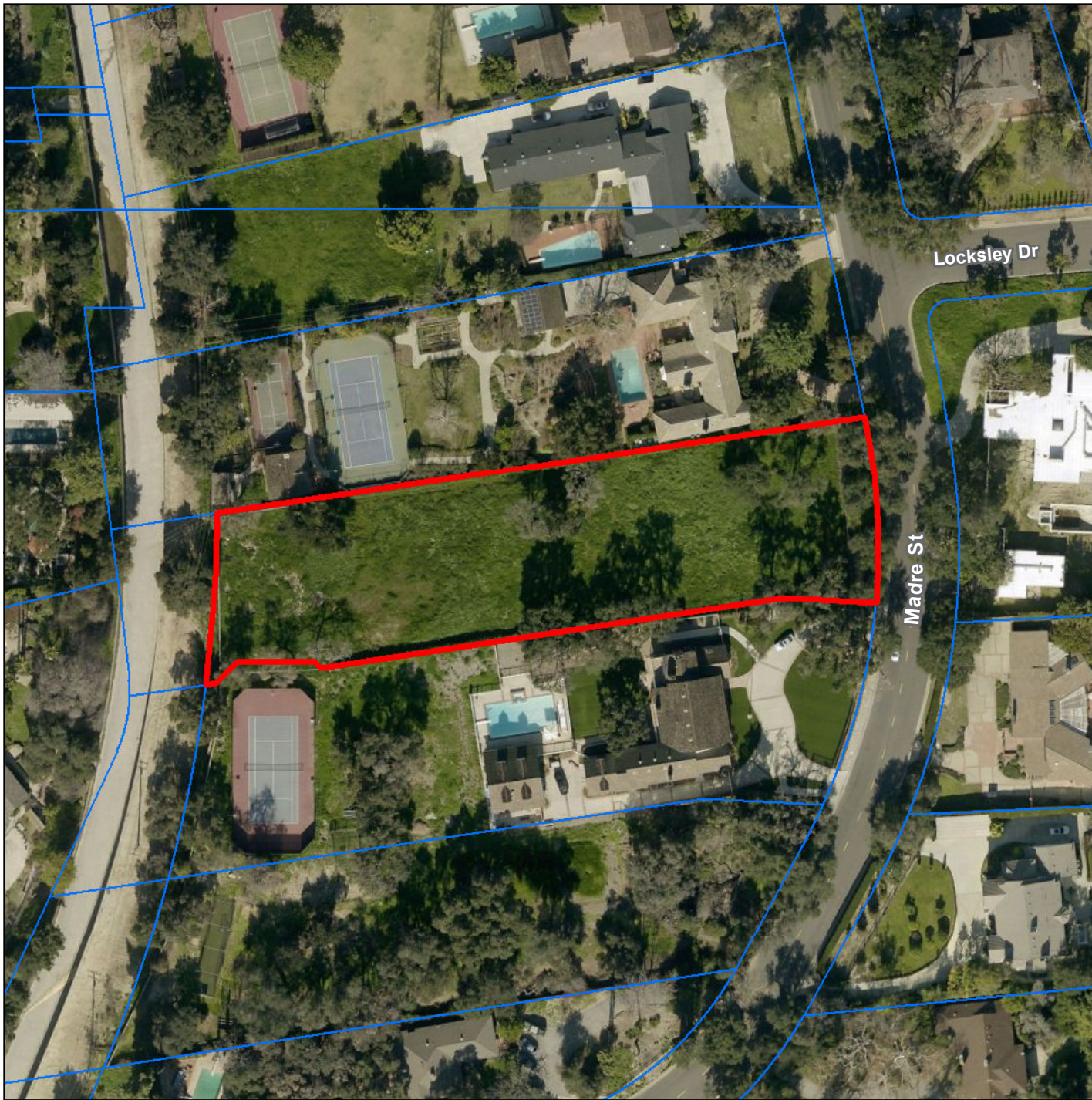
LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

OTP RPPL2021003429

LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



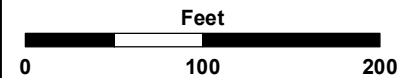
AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2021-001317

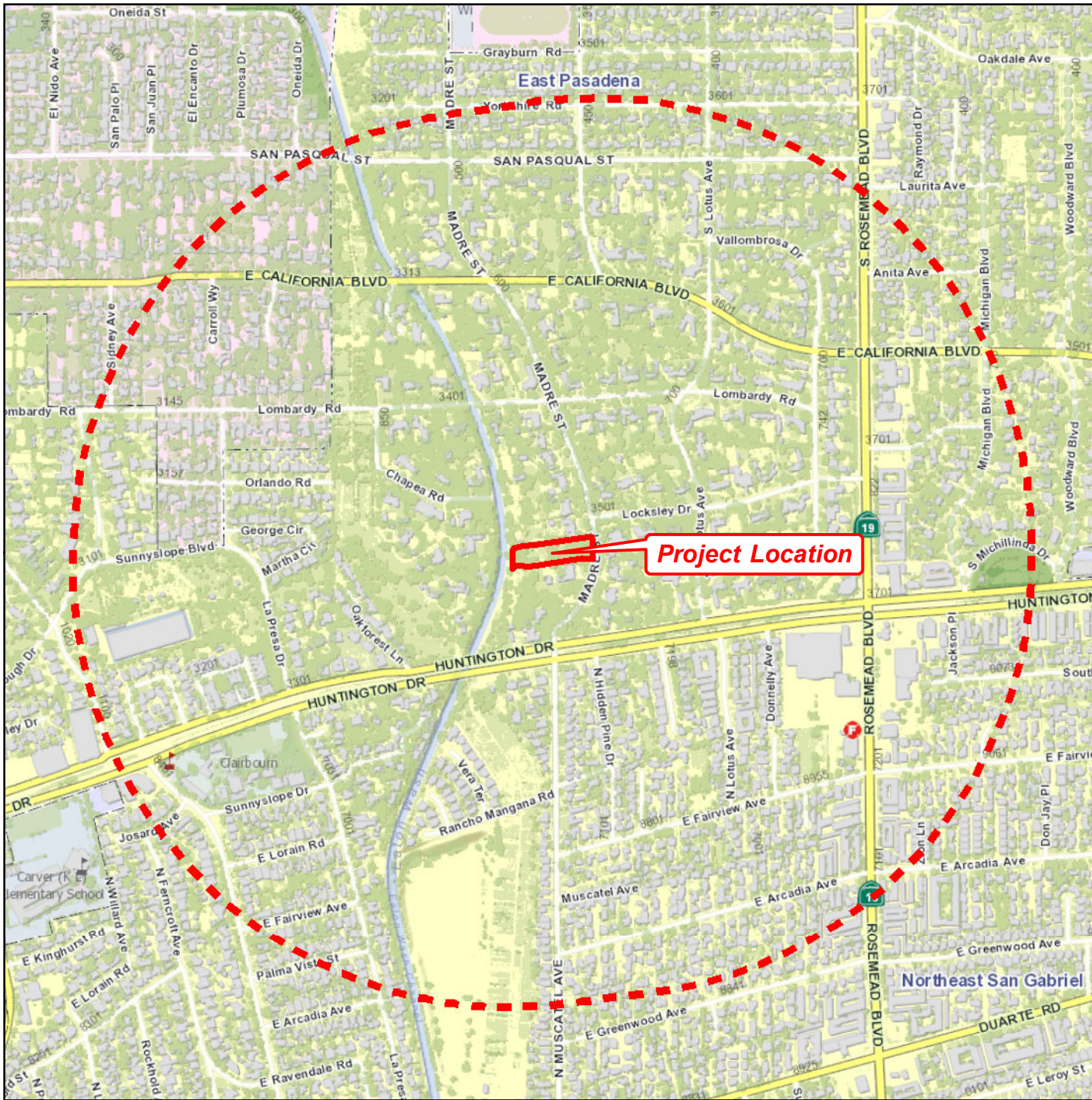
OTP RPPL2021003429

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



LA COUNTY
PLANNING

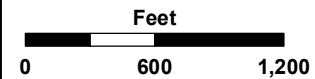
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



HALF-MILE RADIUS

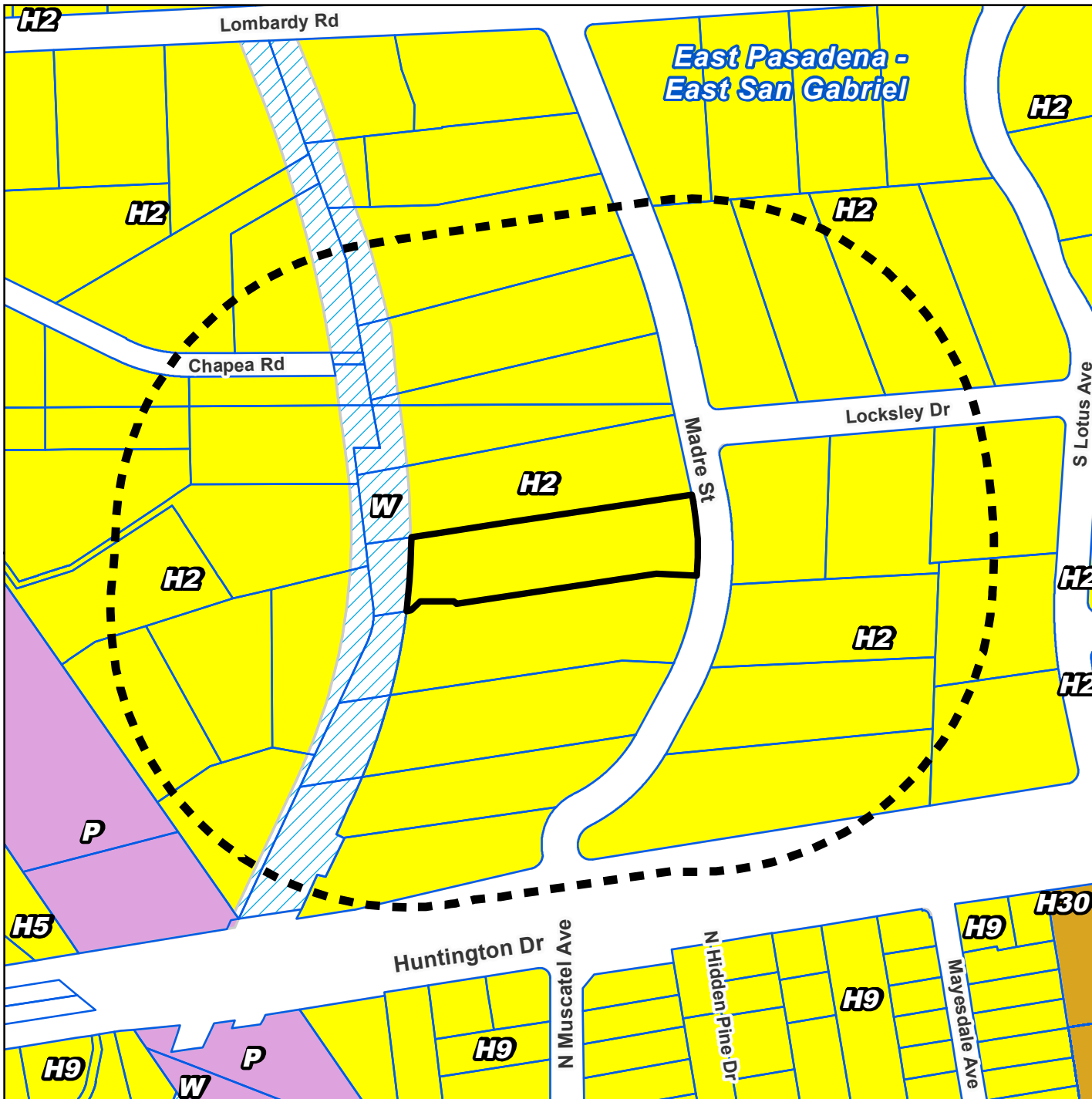
LOCATOR MAP

PROJECT NO. PRJ2021-001317
OTP RPPL2021003429



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



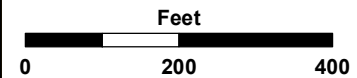
LAND USE POLICY

500-FOOT RADIUS MAP

PROJECT NO. PRJ2021-001317

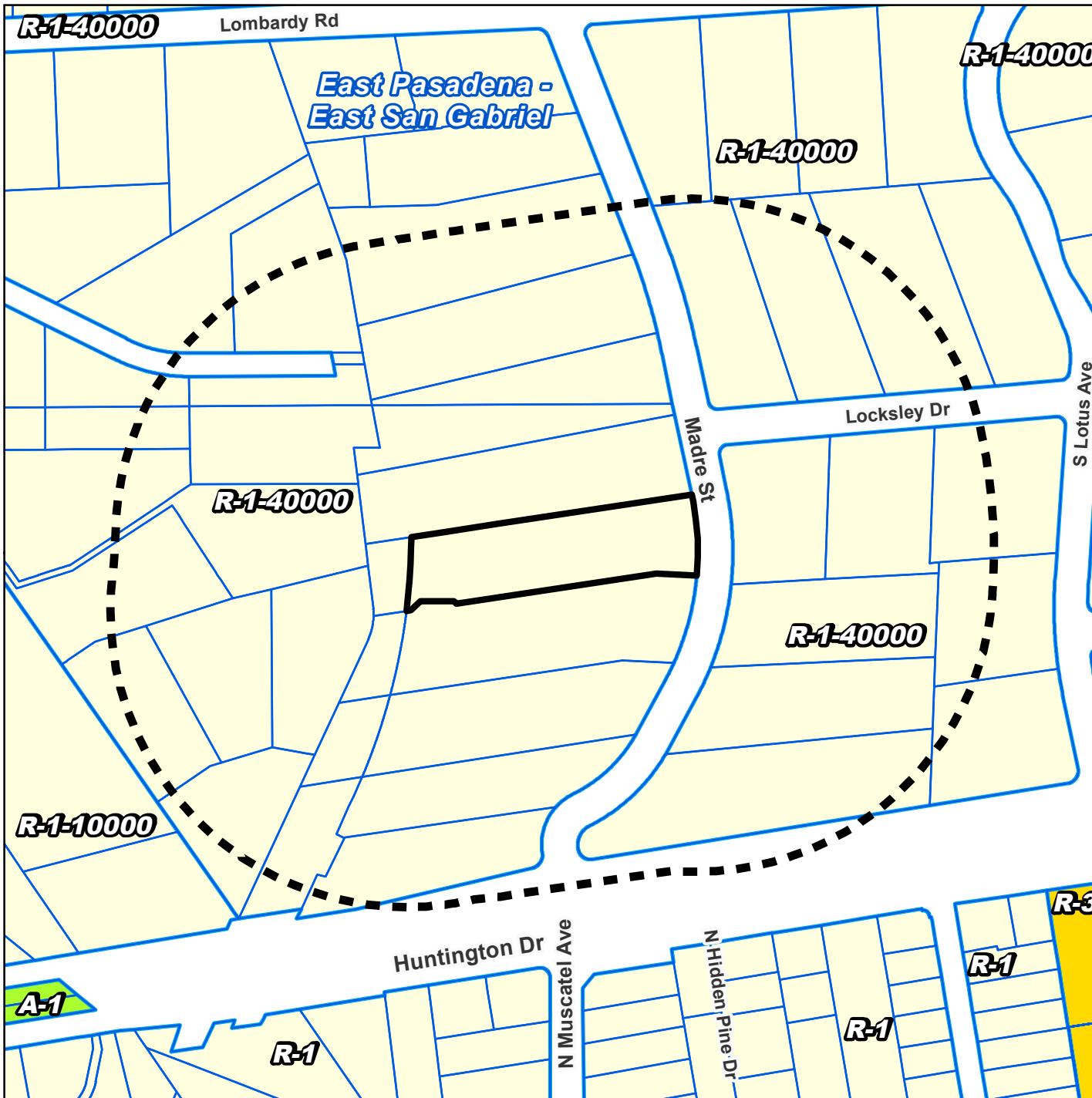
OTP RPPL2021003429

-  H2 - Residential 2
-  H5 - Residential 5
-  H9 - Residential 9
-  H30 - Residential 30
-  P - Public and Semi-Public
-  W - Water



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012






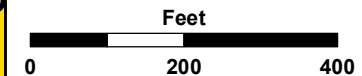
ZONING

500-FOOT RADIUS MAP

PROJECT NO. PRJ2021-001317

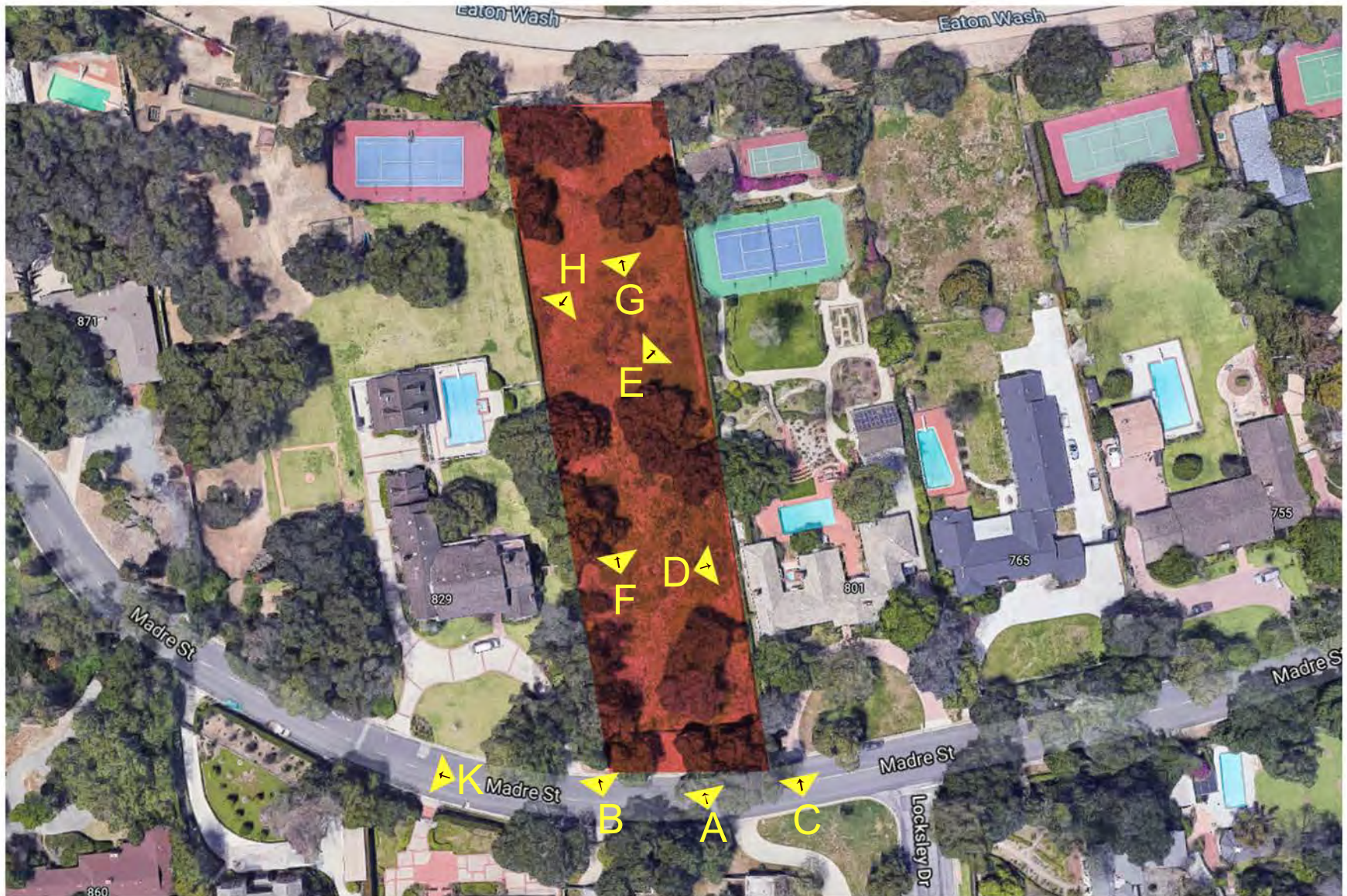
OTP RPPL2021003429

-  R-1 - Single-Family Residence
-  R-3-()U - Limited Density Multiple Residence
-  A-1 - Light



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



815 MADRE ST
PASADENA, CA 91107













COUNTY OF LOS ANGELES FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401
www.fire.lacounty.gov

"Proud Protectors of Life, Property, and the Environment"

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

BOARD OF SUPERVISORS

HILDA L. SOLIS
FIRST DISTRICT

HOLLY J. MITCHELL
SECOND DISTRICT

SHEILA KUEHL
THIRD DISTRICT

JANICE HAHN
FOURTH DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

November 23, 2021

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

Dear Michele Bush:

OAK TREE PERMIT NUMBER RPPL2021003429 815 MADRE STREET, PASADENA

We have reviewed the "Request for Oak Tree Permit #RPPL2021003429." The project is located at 815 Madre Street in the unincorporated area of Pasadena. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Ted Lubeshkoff, the consulting arborist, dated August 10, 2021.

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

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
GLEN DORA
HAWAIIAN GARDENS
HAWTHORNE
HERMOSA BEACH
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY

INGLEWOOD
IRWINDALE
LA CANADA-FLINTRIDGE
LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER

LAWDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

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

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

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 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'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 one (1) tree of the Oak genus (*Quercus agrifolia*) identified as Tree Number 565 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of twelve (12) trees of the Oak genus identified as Tree Number 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582 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 two (2) 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 construction and monitoring period shall be included in this permit and subject to these conditions of approval.
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.

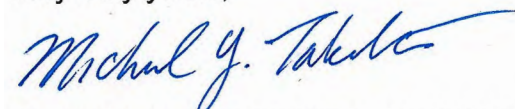
NON-PERMITTED ACTIONS AND VIOLATIONS:

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,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure

JTL Consultants

Consulting Arborists and Biologists

952 Buena Vista Street • Duarte, CA 91010

(626) 358-5690 • info@JTLconsultants.com

JTLconsultants.com

Oak Tree Report

Oak Tree Permit Number

RPPL2021003429

815 Madre Street

Pasadena, CA 91107

Assessor's Parcel Number

5377-019-015

Owner of Property:

Buon Kien Duong

2620 E. California Blvd.

San Marino, CA 91108

(626) 689-3182

Prepared By:

Ted Lubeshkoff, Registered Consulting Arborist #513

Jeannine Lubeshkoff, Registered Consulting Arborist #500

May 10, 2022

TABLE OF CONTENTS

Summary	1
Introduction	1
Background	1
Assignment	2
Limits of Assignment	2
Purpose and Use of the Report.....	2
Observations	2
Site Description.....	2
Tree Descriptions	3
Tree Characteristic Table.....	5
Discussion	7
Oak Woodland	7
Encroachment into Tree Protected Zones.....	7
Change in Grade	7
Mechanical Damage.....	7
Trenching	8
Soil Compaction	8
Pavement.....	8
Planting under Oaks.....	8
Mitigation.....	9
Conclusion	9
Recommendations	10
Glossary	11
Bibliography	11
Appendix A – Photos	12
Appendix B – Tree Location Map	17
Appendix C – Aerial Image	18
Appendix D – Assumptions and Limiting Conditions	19
Appendix E – Certificate of Performance	20
Site Plan	Attachment
Spheres of Influence	Attachment

Summary

JWL Associates contacted JTL Consultants requesting an Oak Tree Report for a project located at 815 Madre Street, Pasadena, CA 91107 in an unincorporated area of Los Angeles County. The project involves the construction of an 8,478-square-foot, two-story house, with a 1,610-square foot, six-car, detached garage on a vacant 61,258-square-foot (1.4 acre) lot. The Oak Tree Report is required by the Los Angeles Department of Regional Planning for an Oak Tree Permit whenever there is encroachment into the **Tree Protected Zone**¹ of an oak tree or **Sphere of Influence** of an oak woodland. This property, and neighboring properties, are within a native oak woodland and is subject to both the Los Angeles County Oak Tree Ordinance, intended to protect individual trees, and the Los Angeles County Oak Woodlands Conservation Management Plan, intended to protect oak woodlands.

The coast live oaks and site were inspected on July 23, 2021, and August 2, 2021. There are 24 coast live oaks (*Quercus agrifolia*) on the property. Eight coast live oaks have been impacted by the encroachment into the Tree Protected Zones by the pruning of branches two inches in diameter or larger. One dead coast live oak will be removed. There will be ground disturbance within the Tree Protected Zones of six coast live oaks due to the construction. There will be encroachment into the protected zone of 12 trees.

Recommendations have been made to protect the trees during construction that include installing protective fencing, mulching, watering, and the installation of pervious pavers for the driveway. The project arborist will be on-site during the installation of the protective fencing and whenever any construction occurs within the Tree Protection Zones. The Mitigation Plan in the Recommendations includes the planting of ten 15-gallon coast live oaks and measures for the care of all coast live oaks on-site before, during, and after project construction.

Introduction

Background

Eddie Peng, Project Coordinator with JWL Associates, contacted JTL Consultants requesting an Oak Tree Report for a project located at 815 Madre Street in Pasadena, an unincorporated section of Los Angeles County. Architect Michael Sun has designed an 8,478-square-foot, two-story house, with a 1,610-square foot detached six-car garage, to be built on the vacant 61,258-square-foot (1.4 acre) lot. The Oak Tree Report is required by the Los Angeles Department of Regional Planning as part of an application for an Oak Tree Permit whenever there is an oak tree removal or encroachment. JTL Consultants conducted a tree survey for this Oak Tree Report on July 23, 2021, and August 2, 2021. There are 24 coast live oaks on the property, and two coast live oaks on neighboring properties, that could be impacted by the construction of the house and garage, and development of this project. This property is in a native oak woodland and is subject to the Los Angeles County Oak Woodlands Conservation Plan. This Oak Tree Report supersedes an Arborist Report written by another consulting arborist, dated August 17, 2020.

¹ Terms appearing in boldface type are defined in the Glossary.

Assignment

In a signed proposal with JWL Associates, dated July 8, 2021, JTL Consultants' assignment was to conduct a tree survey meeting the requirements of the Los Angeles County Oak Tree Ordinance and the Los Angeles County Oak Woodlands Conservation Management Plan and prepare an Oak Tree Report with recommended mitigation actions and tree protection measures.

Limits of Assignment

This report is based solely on a visual inspection of the site and the trees on July 23, 2021 and August 2, 2021 and the review of the site plan provided by Michael Sun. Aerial inspections, **root crown** inspections, and Tree Risk Assessments were not conducted. The information in this report supersedes any information in previously submitted reports. JTL Consultants cannot account for changes to the property and trees prior to July 23, 2021. The Google Earth Imagery Date for Appendix C-Aerial Image is April 25, 2019. JTL Consultants did not have access to neighboring properties to include oaks within 200 feet of the property.

Purpose and Use of the Report

The purpose of this report is to provide an accurate depiction of the coast live oaks, how the oaks will be protected during construction, and how impacts to the oaks will be mitigated. This report is intended to be used by the JWL Associates to implement the recommendations outlined in it. Upon submission, this report will become the property of JWL Associates, and its use will be at their discretion.

Observations

Site Description

The 61,258-square-foot (1.4 acre) project site is located at 815 Madre Street, Pasadena, CA 91107, within the neighborhood of Chapman Woods, in unincorporated Los Angeles County. The property is north of Huntington Drive, east of San Gabriel Boulevard, south of California Boulevard, and west of Rosemead Boulevard. The Eaton Wash is directly west of the property. This property, and the surrounding properties, are within a native oak woodland. There is a fence with an entrance gate 20 feet east of Madre Street. Between the fence and street, there are five coast live oaks and various shrubs. Across Madre Street, from the entrance gate, are another five coast live oaks. There are 19 coast live oaks on the interior of the property, which is level, with no vegetation, except dried grass and weeds. 801 Madre Street to the north, and 829 Madre Street to the south, both have coast live oaks overhanging the project site. At the west end of the property, between Trees 570 and 571, there are signs a tree was removed and the stump ground.

Tree Descriptions

A metal tag with a tree identification number was attached to the trunk of each tree. The tree numbers appear in Appendix A-Photos, Appendix B- Tree Location Map, Appendix C-Aerial Image, and Site Plan and Spheres of Influence Attachments. The Trunk Size is shown in inches as both D, trunk diameter (**DBH**), and C, trunk circumference. The height and width measurements are shown in feet. All tree species are coast live oak (*Quercus agrifolia*).

	Tree #	Trunk Size	Height	Width	Condition	Comments
1	560	D:14.5 C: 45.5	25	37 N to S 46 W to E	Fair	Buried root crown . Canopy extends over road. Crowded by Tree 561. Leans northeast. Watersprouts .
2	561	D: 31.5 C: 99	50	55 N to S 58 W to E	Good	Canopy extends over road. Leans northeast. Evidence of pruning. Minor oozing on trunk.
3	562	D: 21 C: 66	30	35 N to S 53 W to E	Fair	Crowded by Tree 561. Watersprouts. Wound on branch extending over road with well-developed reaction wood.
4	563	D: 12+13+ 13.5+16.5 C: 38+41+ 42+52	50	28 N to S 40 W to E	Poor	Sparse foliage. Evidence of pruning. Tip dieback. Iron bar embedded in trunk.
5	564	D: 25 C: 78.5	50	37 N to S 42 W to E	Fair	Fused scaffold limbs . Leans to the east. Evidence of recent pruning.
6	565	D: 25.5 C: 80	50	35 N to S 33 W to E	Dead	Evidence of recent pruning.
7	566	D: 23 C: 72	40	20 N to S 27 W to E	Poor	Sparse foliage. Dieback. Recent pruning cuts of large branches. Poor branch structure. Deadwood.
8	567	D: 23 C: 75	40	35 N to S 45 W to E	Fair	Evidence of recent pruning. Several major scaffold limbs removed. Deadwood.
9	568	D: 24 C: 75	40	20 N to S 20 W to E	Poor	Scaffold limbs removed. Leaning to the south. Poor branch structure due to pruning.
10	569	D: 33 C: 104	50	45 N to S 48 W to E	Fair	Evidence of pruning. Poor branch structure. Majority of canopy is in northwest quadrant.

	Tree #	Trunk Size	Height	Width	Condition	Comments
11	570	D: 21 C: 66	45	30 N to S 40 W to E	Fair	Codominant trunk. Block wall between the two trunks. Wall embedded in trunk. Near utility lines to the west. Evidence of pruning.
12	571	D: 17 C: 53	45	30 N to S 28 W to E	Fair	Dead branches in canopy. Dead vine in tree. Leaning over property to the south.
13	572	D: 18.5 C: 58	40	37 N to S 33 W to E	Poor	Leaning to the west. Most of canopy is in the southwest. Deadwood. Poor branch structure.
14	573	D: 17.5 C: 55	40	27 N to S 40 W to E	Poor	Mechanical injury on north side of lower trunk. Sparse foliage. Evidence of pruning. Deadwood. Codominant branches.
15	574	D: 32 C: 100	55	43 N to S 40 W to E	Fair	Scaffold limb removed. Evidence of pruning. Girdling root. Branches extend over property to the south.
16	575	D: 23 C: 72	55	35 N to S 45 W to E	Fair	Concrete valve cover near trunk. Raised canopy. Poor branch structure.
17	576	D: 18 C: 56	35	25 N to S 30 W to E	Poor	Only one scaffold limb that is an overextended leverage arm extending over property to the south. Poor branch structure. Canopy only in southwest quadrant.
18	577	D: 19.5 C: 61	55	32 N to S 42 W to E	Fair	Interior branches removed. Watersprouts. Extends over property to the south. Encroaches into Tree 575. Codominant branches with included bark .
19	578	D: 27 C: 85	60	33 N to S 40 W to E	Fair	Heading cuts on north side of tree. Branches extending into property to the south. Codominant branches with included bark.
20	579	D: 18 C: 57	35	30 N to S 30 W to E	Poor	Codominant scaffold limbs with included bark. Overcrowded. Poor branch structure. Buried root crown. Extends over property to the south.
21	580	D: 20.5 C: 64	40	30 N to S 35 W to E	Poor	Overcrowded by Tree 581. Extends over south property. Codominant scaffold limbs with included bark. Buried root crown. Watersprouts. Poor branch structure.

	Tree #	Trunk Size	Height	Width	Condition	Comments
22	581	D: 27 C: 85	50	40 N to S 35 W to E	Fair	Old mechanical damage on lower trunk. Leans to the south. Watersprouts. Deadwood. Heading cuts. Interior branches removed. Sparse foliage. Buried root crown.
23	582	D: 22+16 C: 69+50	40	35 N to S 35 W to E	Good	Chain-link fence embedded in trunk. Buried root crown. Branches extend over road.
24	583	D: 14 C: 44	35	28 N to S 30 W to E	Good	Young tree.
25	OS1					Located on 801 Madre St. Extends onto 815 Madre St. Near Tree 565.
26	OS2					Located on 829 Madre St, extends onto 815 Madre St. Near Tree 575.

Tree Characteristic Table

	Tree #	Latitude	Longitude	Pruning Impact Quantity, Branch Size, and Distance from Ground Percentage of Pruning	Number of Mitigation Trees to be Planted
1	560	34.13161	-118.07871	None	None
2	561	34.13151	-118.07868	None	None
3	562	34.13148	-118.07869	None	None Encroachment
4	563	34.13143	-118.07890	(2), 6", 12' 5%	1 Encroachment
5	564	34.13150	-118.07903	(2), 8", 20' 5%	1 Encroachment
6	565	34.13148	-118.07939	Dead. To be removed.	2
7	566	34.13139	-118.07943	(1), 12", 4' (1), 8", 8' 5%	1 Encroachment
8	567	34.13140	-118.07952	(1), 12", 12' (1), 8", 20' 5%	1 Encroachment
9	568	34.13137	-118.07996	(1), 8", 10' (1), 14", 14' 10%	1 Encroachment

	Tree #	Latitude	Longitude	Pruning Impact Quantity, Branch Size, and Distance from Ground Percentage of Pruning	Number of Mitigation Trees to be Planted
10	569	34.13140	-118.08005	(1), 2", 20' (1), 4", 20' 1%	1
11	570	34.13142	-118.08023	None	None
12	574	34.13110	-118.08021	None	None
13	572	34.13111	-118.08007	None	None
14	573	34.13113	-118.08001	None	None Encroachment
15	574	34.13120	-118.07945	(1), 20", 15' (2), 6", 20' 2%	1 Encroachment
16	575	34.13124	-118.07927	(1), 6", 15' (1), 6", 20' 1%	1 Encroachment
17	576	34.13122	-118.07925	None	None
18	577	34.13123	-118.07920	None	None Encroachment
19	578	34.13126	-118.07891	None	None Encroachment
20	579	34.13126	-118.07891	None	None
21	580	34.13127	-118.07880	None	None
22	581	34.13135	-118.07879	None	None
23	582	34.13136	-118.07868	None	None Encroachment
24	583	34.13127	-118.07871	None	None
25	OS-1	34.13158	-118.07939	None	None
26	OS-2	34.13115	-118.07943	None	None

Discussion

Oak Woodland

The oaks on this property comprise an oak woodland.

The Los Angeles County Oak Woodlands Conservation Management Plan defines an oak woodland as an oak tree stand, including its understory, which consists of two or more oak trees at least five inches in diameter with greater than ten percent canopy cover. An oak woodland is determined by two or more touching or overlapping spheres of influence. A sphere of influence is calculated by multiplying the dripline radius from the trunk by 3.16. (Spheres of Influence - Attachment)

Encroachment into Tree Protected Zones

12 of the coast live oaks (Trees 562, 563, 564, 566, 567, 568, 573, 574, 575, 577, 578, and 582) will have ground disturbance in the Tree Protected Zone by the driveway, garage, tennis court, patio, balcony, and corners of the house. Six of the oaks (Trees 564, 566, 567, 568, 574, and 575) have had branches two inches in diameter or larger pruned and the quantity, branch size, distance from the ground, and encroachment percentage as shown in the Tree Characteristic Table. There will be 12 total encroachments.

The County Code for Oak Trees in Los Angeles County Unincorporated Areas defines encroachment into the Tree Protected Zone or Sphere of Influence as ground disturbance in the Tree Protected Zone and pruning of branches two inches in diameter or larger.

Change in Grade

The grade will not change within the Tree Protected Zone of the coast live oaks.

The lowering or raising of the grade within the Tree Protected Zone can damage or kill a tree. The normal exchange of moisture and gases within the **root zone** is disrupted with the change in grade. The original grade should be maintained as far out from the trunk as possible. As little as four inches of soil placed over the root system can kill some species. The change in grade can have immediate or long-term adverse effects on the tree (Matheny and Clark, 1998).

Mechanical Damage

Mechanical damage could occur to the branches and trunks of the coast live oaks.

Wounds to tree branches, caused by mechanical damage, may reduce tree stability by decreasing the wood strength, restrict internal movement of water and nutrients, and reduce the ability to compartmentalize against decay. Enclosing the Tree Protected Zones with a chain-link fence will help prevent damage from construction equipment (Matheny, et al, 1998).

Trenching

Trenching will occur within the Tree Protected Zones for the driveway, garage, and tennis court.

Trenching within the Tree Protected Zones can damage the root system of a tree and lead to tree decline or death. Ninety percent of the fine roots that absorb water and minerals are found in the upper few inches of soil. Roots require space, air, and water, and grow best where these requirements are met, which is usually at or near the soil surface. When roots are cut due to trenching, the cut should be clean, leaving no torn edges. Multiple trenches are destructive because they impact a greater portion of the root system (Fite, Kelby, and Smiley, 2008).

Soil Compaction

Soil compaction will occur within the Tree Protected Zones for the various hardscapes.

Soil compaction occurs when the pore space between soil particles is greatly reduced. This causes the reduction of oxygen available to the roots and can lead to decline in trees. Use of equipment, grading, digging, and heavily used walking paths can cause soil compaction in a construction area. Use of protective fencing, mulching within the protective fencing, and limiting the amount of access routes will minimize soil compaction (Matheny, et al, 1998).

Pavement

A driveway will be installed within the Tree Protected Zone of Trees 562, 563, 566, and 567.

Pavement restricts movement of water and air in the root zone. A tree's survival depends on water and air reaching the root zone. Whenever possible, pervious pavers should be used within the Protected Zone to allow water and oxygen to reach the roots. If excavation for new pavement occurs within the **dripline**, major damage to the tree's root system can occur and decline and death of the tree may follow (Matheny, et al, 1998).

Planting under Oaks

Currently, there is bare ground within the Tree Protection Zones of the coast live oaks.

The best treatment under oaks is a layer of organic mulch, not understory plants. If there is to be landscaping within the dripline of native oaks, the plants should have the same water requirements as the oaks. Coast live oaks do not require summer watering. Plants that require summer watering, such as Coast live oaks are susceptible to root rot if overwatered, especially during the summer months (Costello, et al, 2011)

Mitigation

The removal of dead Tree 565 will be mitigated with the on-site planting of two 15-gallon coast live oak trees and the pruning of the eight coast live oaks will be mitigated with the on-site planting of eight 15-gallon coast live oaks. The proposed locations of the mitigation trees are shown on the Site Plan.

Conclusion

This Oak Tree Report was written for a project on a property located at 815 Madre Street, Pasadena, in an unincorporated area of Los Angeles County. The project involves the construction of an 8,478-square-foot, two-story house, with a 1,610-square foot, detached six-car garage on the vacant 61,258-square-foot (1.4 acre) lot. Whenever there is an oak tree removal or encroachment, an Oak Tree Report is required by the Los Angeles Department of Regional Planning. This property, and neighboring properties, are within a native oak woodland and is subject to both the Los Angeles County Oak Tree Ordinance, intended to protect individual oak trees, and the Los Angeles County Oak Woodlands Conservation Management Plan, intended to protect oak woodlands. There are 24 coast live oaks on this property, and two coast live oaks on neighboring properties, that could be impacted by the project. One coast live oak is dead and will be mitigated with the planting of two 15-gallon coast live oaks. Six coast live oaks were impacted by pruning and will be mitigated with the planting of six 15-gallon coast live oaks and the Tree Protection Zones of an additional eight coast live oaks will be encroached upon by elements of the project for a total of 12 encroachments into the protected zones of the coast live oaks. Because of the existing moderately degraded condition of the oak woodland and the planting of 10 mitigation oaks, along with drought-tolerant landscaping that will be compatible with the oaks, the overall impact on the oak woodland by the project is less than significant.

The contractor will follow these recommendations to protect the coast live oaks during construction and to minimize impacts on the trees.

Recommendations

1. Install protective fencing around the Tree Protection Zones as shown on the Site Plan:
 - a. Chain-link fencing will be at least five-feet tall, mounted on two-inch diameter galvanized iron posts, and have an access gate. This fencing will remain in place throughout the duration of the construction. Orange flexible fencing will not be used.
 - b. The fencing will not be moved at any time for construction work unless the work is supervised by the project arborist.
 - c. Within the fenced enclosures, no digging, trenching, soil compaction, or other soil disturbance will be allowed, and the fenced enclosures will be kept clear of building materials, waste, and excess soil.
2. Apply a four to six-inch layer of mulch within the tree protection fencing.
3. Construct the new driveway with pervious pavers.
4. Remove dead Tree 565.
5. If pruning is needed, it will be conducted by an International Society of Arboriculture (ISA) Certified Arborist. All pruning will follow the most recent edition of the American National Standard Institute (ANSI), A300, for Tree Care Operations, Pruning.
6. The project arborist will be on-site when the protective fencing is installed, when any demolition, digging, excavation, pruning, or trenching occurs within or near the Tree Protected Zone of the trees, and when any grading, construction, demolition, or other work that is expected to encounter tree roots is performed.
7. Mitigation Plan:
 - a. Prior to project construction, water all coast live oaks thoroughly.
 - b. During project construction, water all the coast live oaks weekly during the winter months and during excessive summer heat events, as needed.
 - c. Following project construction, plant two 15-gallon coast live oaks on-site, to mitigate for the removal of dead Tree 565 and plant eight 15-gallon coast live oaks on-site, to mitigate for the pruning of Trees 563, 564, 566, 567, 568, 569, 574, and 575. The Mitigation Tree locations are shown on the Site Plan.
 - d. Following project construction, install a drip irrigation system with a timer for the mitigation trees.
 - e. Following project construction, for seven years, the project arborist will inspect the mitigation trees and submit an annual report property owner and to the Los Angeles County Department of Regional Planning on the condition of the 23 on-site coast live oaks and 10 mitigation-planted coast live oaks.

Glossary

Codominant trunk/branches – Forked trunk or branches nearly the same size in diameter, arising from a common junction, and lacking a normal branch union.

Condition – One of four possible “Condition” ratings

Good = no apparent **defects** or problems

Fair = minor defects or problems

Poor = major defects or problems

Dead = extreme defects or problems

DBH – The diameter of a trunk measured at standard height 4 ½ feet above ground.

Defect – An internal or external point of weakness which can reduce the stability of the tree and include cracks, splits, cankers, galls, girdling, codominant limbs, and wounds.

Dripline – The edge or perimeter of the canopy that represents a point where water will drip down to the ground. The structural and lateral roots can be found within the dripline.

Heading Cut – Inappropriate pruning technique to reduce tree size; cutting a branch back to a predetermined crown limit.

Included Bark – Bark that has become embedded in a union between the branch and trunk or between codominant stems.

Root Crown – The area where the main roots join the trunk, usually at or near ground level.

Root Zone – The area around a tree where roots are normally found. This may extend up to three or more times the canopy radius of the tree, or several times its height.

Scaffold Branches – Permanent or structural branches forming the structure of a tree.

Sphere of Influence – A protected area in oak woodlands ten times the canopy area.

Tree Protected Zone – The area that extends 15 feet from the trunk and 5 feet from the dripline.

Watersprouts – Upright, epicormic shoot arising from the trunk or branches above the root graft or soil line. Incorrectly called a sucker.

Bibliography

Costello, Laurence R., Hagen, Bruce W., and Jones, Katherine S., *Oaks in the Urban Landscape: Selection, Care, and Preservation*, University of California, Richmond, CA 2011.

Fite, Kelby, and Smiley, Thomas E., Best Management Practices, *Managing Trees During Construction*, International Society of Arboriculture, Champaign, IL 2008.

Matheny, Nelda and Clark, James R., *Trees and Development: A Technical Guide to Preservation of Trees during Land Development*, International Society of Arboriculture, Champaign, IL 1998

Appendix A - Photos



Photo A, facing southwest, showing an overview of the property from Madre Street.

Photo B, facing west, showing an overview of the property from the property entrance.



Photo C, facing west, showing trees 560, 561, and 562.

Photo D, facing north, showing trees 563 and 564.



Photo E, facing north, showing trees 565, 566, 56, and OS-1. Note that tree 565 is dead.

Photo F, facing north, showing trees 568, 569, and 570.



Photo G, facing south, showing trees 571, 572, and 573.

Photo H, facing south, showing trees 574, 575, 576, 577 and OS-2.

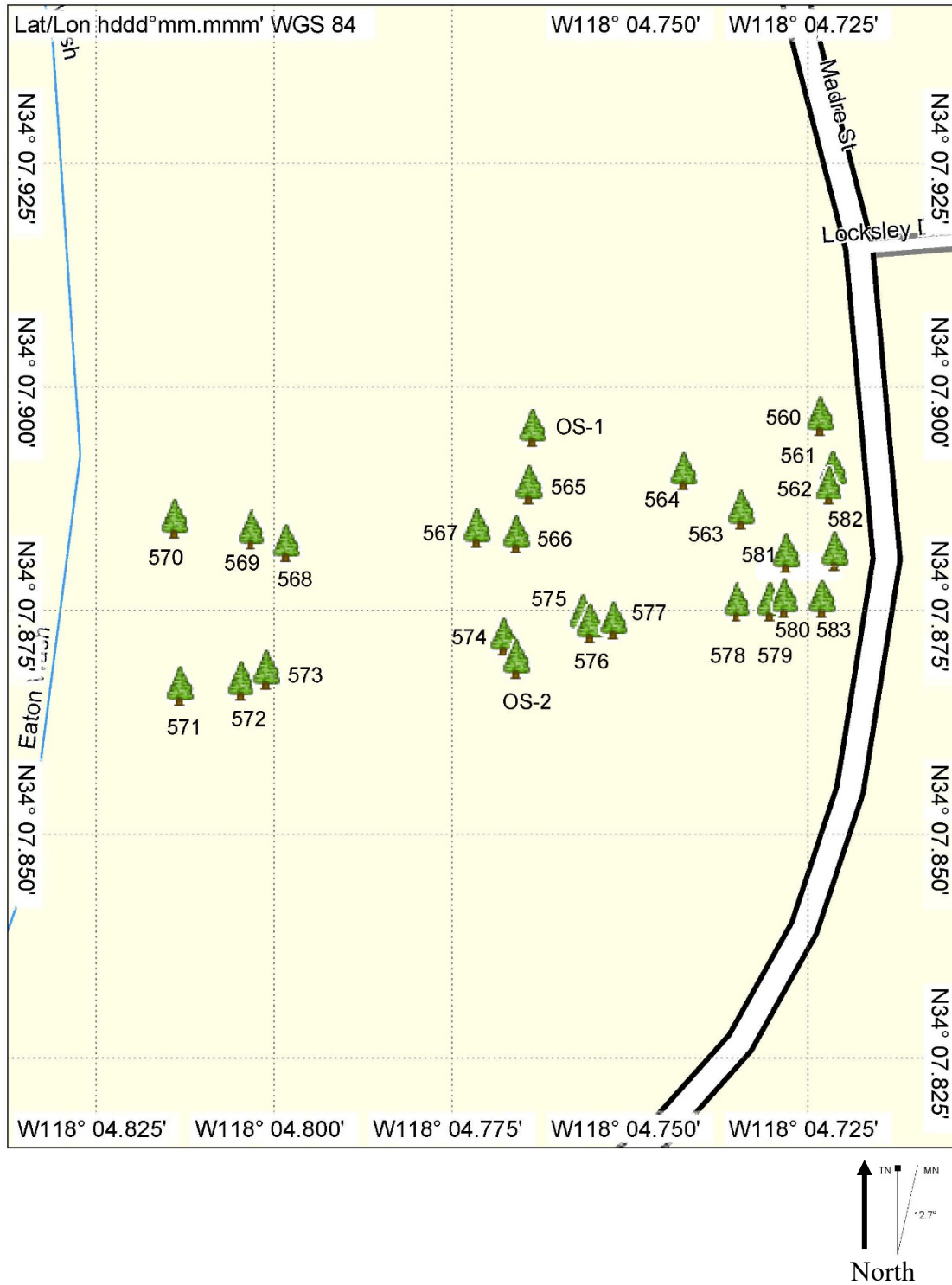


Photo I, facing south, showing trees 578, 579, 580, and 581.

Photo J, facing west, showing trees 582 and 583.



Appendix B – Tree Location Map



Appendix C – Aerial Image



Google Earth Imagery Date: 4/25/2019

← North

Appendix D – Assumptions and Limiting Conditions

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable.
2. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible for the accuracy of information provided by others.
3. The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
4. Loss or alteration of any part of this report invalidates the entire report.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written consent of the consultant/appraiser.
6. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
7. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
8. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.
9. The tree location on the site plan and/or aerial view are not represented to be of survey quality but are sufficient to allow locating the tree in the field.

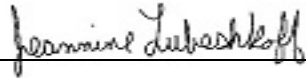
Appendix E – Certificate of Performance

We, Jeannine and Ted Lubeshkoff, certify:

- ✓ That we have personally inspected the tree(s) referred to in the report, and have stated our findings accurately. The extent of the evaluation is stated in the attached report;
- ✓ That we have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;
- ✓ That the analysis, opinions and conclusions stated herein are our own and are based on current scientific procedures and facts;
- ✓ That our analysis, opinions and conclusions were developed and this report has been prepared according to commonly accepted arboriculture practices;
- ✓ That no one provided significant professional assistance to us, except as indicated within the report;
- ✓ That our compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results if the assignment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I, Jeannine Lubeshkoff, am Registered Consulting Arborist #500 with the American Society of Consulting Arborists, and Certified Arborist WE-8445A with the International Society of Arboriculture. I have been involved in the practice of arboriculture and the care and study of trees for over 15 years.

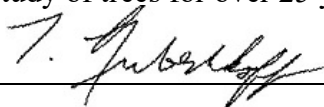
Signed



Date: 5/10/2022

I further certify that I, Ted Lubeshkoff, am Registered Consulting Arborist #513 with the American Society of Consulting Arborists, and Certified Arborist WE-8446A with the International Society of Arboriculture. I have been involved in the practice of arboriculture and the care and study of trees for over 25 years.

Signed



Date: 5/10/2021