

June 24, 2025

Veronica Mosqueda
1805 John Towers Ave
El Cajon, CA 92020

**PROJECT NO. PRJ2024-000971-(3)
ADMINISTRATIVE OAK TREE PERMIT NO. RPPL2024001427
1362 OLD TOPANGA CANYON ROAD, TOPANGA (APN: 4438-009-020)**

Dear Ms. Mosqueda,

Hearing Officer Mi Kim, by her action of **June 24, 2025**, has approved the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to LA County Planning (see enclosed Affidavit of Acceptance Instructions).

Appeals: The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 8, 2025**. Appeals must be submitted to appeal@planning.lacounty.gov before the end of the appeal period.

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable California Environmental Quality Act fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

Veronica Mosqueda
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For questions or for additional information, please contact Jon Schneider of the Coastal Development Services Section at (213) 893-7049, or jschneider@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

JS

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: PW (Building and Safety)
Zoning Enforcement

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2024-000971
OAK TREE PERMIT NO. RPPL2024001427

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Oak Tree Permit No. RPPL2024001427 (“OTP”) on June 24, 2025.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was held before Hearing Officer Mi Kim. Staff presented the matter and recommended approval. The owner was present and made herself available for questions. There being no public testimony, and the applicant was not present, the Hearing Officer closed the public hearing, found the Project exempt from CEQA, and approved the request.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Veronica Mosqueda ("Permittee"), requests an OTP to authorize encroachments into the protected zones of five oak trees in association with the installation of a roof-mounted solar energy array on an existing single-family residence, including appurtenant wiring, boxes, and panels (“Project”).

The property is located in the unincorporated community of Topanga (“Project Site”) in the R-C-15,000 (Rural Coastal – 15,000 Square-Foot Minimum Required Lot Area) Zone pursuant to Los Angeles County Code (“County Code”) Section 22.174.030. The Project Site is within the Santa Monica Mountains Coastal Zone Local Implementation Program (“LIP”).

4. **ENTITLEMENT(S) REQUIRED.** The OTP is required to authorize the encroachment into the protected zones of five oak trees in association with the placement of installation of roof-mounted solar energy array system on an existing single-family residence, pursuant to County Code Chapter 22.174. The development is exempt from the standards of the LIP pursuant to Section 22.44.820.A as it consists of improvements to a legally existing single-family residence. Thus, no Coastal Development Permit (“CDP”) is required.
5. **LOCATION.** The Project is located at 1362 Old Topanga Canyon Road (Assessor’s Parcel Number 4438-009-020) within the Santa Monica Mountains Planning Area.
6. **LAND USE DESIGNATION.** The Project Site is located within the RV (Rural Village) land use category of the Santa Monica Mountains Local Coastal Program (“LCP”) Land Use Plan (“LUP”). The principal allowed use in the RV land use category is single-family detached residences on relatively small lots.

7. **ZONING.** The Project Site is in the Malibu Zoned District and is zoned R-C-15,000. Pursuant to County Code Sections 22.174.010, encroachment into the protected zones of oak trees requires an OTP.

8. SURROUNDING LAND USES AND ZONING

LOCATION	LAND USE POLICY	ZONING	EXISTING USES
NORTH	RV, RL20 (Rural Land 20, One Dwelling Unit per Twenty Acres), OS (Open Space)	R-C-15,000, R-C-20 (Rural Coastal—Twenty Acre Minimum Required Lot Area), C-1 (Restricted Business), O-S (Open Space)	Single-family residences, church, vacant, open space
EAST	RV, RL20	R-C-15,000, R-C-20	Single-family residences, vacant
SOUTH	RV, RL20	R-C-15,000, R-C-20	Single-family residences, open space, vacant
WEST	RV, RL20, OS-P (Open Space Parks)	R-C-10,000, R-C-20, O-S-P (Open Space Parks)	Single-family residences, open space, vacant

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is approximately 0.21 acres in size and is developed with a 20-foot tall, 1,637 square-foot single-family residence with an attached garage and driveway. A toyon and several other oak trees, in addition to the five encroached oak trees, are either located on the Project Site or in the immediate vicinity. The parcel is rectangular in shape and is relatively flat.

B. Site Access

The Project Site is accessed from Old Topanga Canyon, a limited secondary highway, to the southwest through an approximately 20-foot-wide driveway.

C. Site Plan

The site plan depicts the Project Site with the roof mounted solar energy array system on the roof of the single-family residence with appurtenant wiring, boxes, and panels. The array would consist of 28 panels with a maximum height of six inches and would total approximately 568 square feet in area. The Project is within the existing building site area of the residence. The roof-mounted solar energy array does not require new fuel modification or an increase in the fuel modification zone of the existing residence. The solar array would encroach into the protected zones of five oak trees (identified as Oak Trees 4, 8, 9, 10, and 911 on the site plan). The plans do not require the oak trees to be removed.

10. CEQA DETERMINATION.

Staff recommends that this Project qualifies for Class 4 (Minor Alterations to Land) Categorical Exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County.

Pursuant to Section 15304(i) of the State CEQA Guidelines, the Class 4 Categorical Exemption includes alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Pursuant to the County Environmental Document Reporting Procedures and Guidelines, the Class 4 Categorical Exemption includes grading on land with a slope of 10 percent or less that is involved with one single-family residence and accessory uses. The Project qualifies for a Class 4 Categorical Exemption because it authorizes the encroachment into the protected zones of five oak trees by a roof-mounted solar energy array.

Section 15300.2 of the State CEQA Guidelines discusses how projects located within particularly sensitive environments may have a significant impact on the environment and are therefore not eligible for certain CEQA exemptions, including the Class 4 Categorical Exemption cited herein. Exceptions to the exemptions include project impacts to an environmental resource of hazardous or critical concern where officially designated, precisely mapped, and adopted pursuant to law by federal, state, or local agencies. Exceptions to the exemptions also apply where a project may result in damage to scenic resources or where a project includes activities that will have a significant effect on the environment due to unusual circumstances. However, the proposed Project is not subject to an exception to the CEQA exemptions because the proposed solar array would be cited on the roof of an existing legally established single-family residence, which does not constitute a particularly sensitive environmental resource area.

The Project, with its small increase in height (six inches), is not expected to impact scenic resources such as trails or designated scenic routes. Other exceptions involving cumulative impact, hazardous waste sites, and historic resources also would not apply. Therefore, the Project is categorically exempt from CEQA.

11. COMMUNITY OUTREACH.

The Permittee did not conduct any known public outreach for the Project prior to the public hearing.

12. PUBLIC COMMENTS.

On Sunday December 29, 2024, Ed O’Neal emailed his support of the project and further commented his encouragement to exempt more roof mounted solar projects.

13. AGENCY RECOMMENDATIONS.

The Los Angeles County Fire Department—Forestry Division, in a letter dated July 31, 2024, indicated at the time that the Oak Tree Report submitted by the applicant for six oak trees was accurate and complete as to the location, size, condition and species of the oak trees on the Project Site and recommends several conditions of approval, which have been incorporated into this OTP (Exhibit D – Conditions). However, after the hearing was continued to April 22, 2025, to investigate Oak #3, a second arborist report was obtained and dated April 4, 2025, confirming the trees death. Consultation was sent to the Los Angeles County Fire Department—Forestry Division for their review. Los Angeles County Fire Department—Forestry Division, in a letter dated April 10, 2025, omitted Oak #3 and indicated that the Oak Tree Report submitted by the applicant dated April 4, 2025, for five oak trees was accurate and complete as to the location, size, condition and species of the oak trees on the Project Site and recommends several conditions of approval, which have been incorporated into this OTP (Exhibit D – Conditions).

- 14. LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 of the County Code, the community was properly notified of the public hearing by mail, and newspaper (Malibu Times). Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On December 11, 2024, a total of 82 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor’s record within a 500-foot radius from the Project Site, including 18 notices sent to those on the courtesy mailing list for the Malibu Zoned District, and six from the Oak Tree Permit list, and and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

15. LAND USE POLICY.

The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP, as encroachment into the protected zones of five oak trees is consistent with the RV land use designation. The Project is accessory to the principal allowed use, which is a single-family residence, it does not alter the existing density of the area, and it is consistent with all development standards.

- 16. GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the policies of the LUP:

Significant Environmental Resource Areas (“SERA”) and H3 Habitat Protection Policies

Policy CO-48:

New and replacement infrastructure may be permitted provided that it complies with applicable provisions of this plan and is designed to avoid and, if infeasible, minimize adverse impacts to environmental and scenic resources.

Policy CO-53:

In Rural Villages, new development shall be sited and designed to avoid adverse impacts to all oak woodland habitat (either disturbed or undisturbed), while conforming to all other policies of the LCP. Where there is no feasible alternative to avoid oak woodland habitat that is not H1 habitat, in order to provide a reasonable economic use of the property, ensure public health and safety, or fulfill requirements under the Americans with Disabilities Act for reasonable accommodation, removal of oak woodland habitat within Rural Villages may be allowed if limited to the minimum area necessary to achieve the purpose allowed. In no case shall the removal of oak woodland habitat exceed 10 percent of the total oak woodland area on the subject property.

The Project does not result in adverse impacts to the surrounding environment, scenic resources, or to the health of the oak trees. Although the Project is located in the Old Topanga Rural Village, the Permittee’s oak tree report indicated that the health of the encroached oak trees would not be affected, and the conditions required by this OTP shall ensure this.

Native Tree Protection Policies

Policy CO-99:

New development shall be sited and designed to preserve oak, walnut, sycamore, bay, or other native trees to the maximum extent feasible that are not otherwise protected as H1 or H2 habitat and that have at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter, measured at four and one-half feet above natural grade. Removal of native trees shall be prohibited except where no other feasible alternative exists. Development shall be sited to prevent any encroachment into the protected zone of individual native trees to the maximum extent feasible, as set forth below. Protected Zone means that area within the dripline of the tree and extending at least five feet beyond the dripline, or 15 feet from the trunk of the tree, whichever is greater. Removal of native trees or encroachment in the protected zone shall be prohibited for accessory uses or structures. If there is no feasible alternative that can prevent tree removal or encroachment, then the alternative that would result in the fewest or least-significant impacts shall be selected. Adverse impacts to native trees shall be fully mitigated, with priority given to on-site mitigation. Mitigation shall not substitute for implementation of the feasible project alternative that would avoid impacts to native trees and/or woodland habitat. When unavoidable adverse impacts to native trees will result from permitted

development, the impacts must be mitigated in accordance with the following standards and subject to a condition of approval requiring a native tree replacement planting program. Where development encroaches into less than 30 percent of the protected zone of native trees, each affected tree shall be monitored annually for a period of not less than 10 years. An annual monitoring report shall be submitted for review by the County for each of the 10 years. Should any of these trees be lost or suffer worsened health or vigor as a result of the proposed development, the applicant shall mitigate the impacts at a 10:1 ratio with seedling-sized trees.

Policy CO-100:

New development on sites containing oak, walnut, sycamore, bay, or other native trees shall incorporate the following native tree protection measures:

- a. Protective fencing shall be used around the outermost limits of the protected zones of the native trees within or adjacent to the construction area that may be disturbed during construction or grading activities. Before the commencement of any clearing, grading, or other construction activities, protective fencing shall be placed around each Santa Monica Mountains Local Coastal Program 43 February 2018 Land Use Plan applicable tree. Fencing shall be maintained in place for the duration of all construction. No construction, grading, staging, or materials storage shall be allowed within the fenced exclusion areas, or within the protected zones of any onsite native trees.*
- b. Any approved development, including grading or excavation, that encroaches into the protected zone of a native tree shall be undertaken using only hand-held tools.*
- c. The applicants shall retain the services of a qualified independent biological consultant or arborist, approved by the Director, to monitor native trees that are within or adjacent to the construction area. Public agencies may utilize their own staff who have the appropriate classification. If any breach in the protective fencing occurs, all work shall be suspended until the fence is repaired or replaced.*

The Project was an OTP to authorize encroachment within the protected zones of five oak trees. Monitoring of the affected trees, identified as Trees 4, 8, 9, 10, 911 on the approved Exhibit "A", shall occur for a period of 10 years following final approval. The Permittee shall plant mitigation trees at a 10:1 ratio for any tree that dies as a result of the encroachments, to the satisfaction of the County Forester.

Scenic Resources Goals and Policies

Policy CO-128:

New development shall be subordinate to the character of its setting.

The Project's installation of the roof-mounted solar energy array on an existing single-family residence with appurtenant wiring, boxes, and panels will result in minimal impact to the scenic nature of the property and surrounding area and is subordinate to the character of the area. Although the property is visible from the scenic route of Old Topanga Canyon Road, the installation of the roof-mounted solar energy array system

on an existing single-family residence will not result in any negative scenic impacts, as they are being placed on an existing structure and will have a maximum height of only six inches.

Policy CO-145:

Solar energy devices/panels shall be sited on rooftops of permitted structures, where feasible to minimize disturbance and the removal of native vegetation. If roof mounted systems are infeasible, ground mounted systems may be allowed only if sited within the building site area of permitted development. Wind energy systems are prohibited.

The Project will install a solar energy array system on the roof of an existing single-family residence. The residence was legally built in 1937, prior to the effective date of the Coastal Act in 1976.

Land Use Element

Policy LU-33:

Require that new development be compatible with the rural character of the area and the surrounding natural environment.

The Project is designed to be consistent with the rural character of the surrounding Topanga community. The Rural Village land use designation is intended for single-family detached housing in a setting consistent with the rural character of the area. The Project is consistent with this designation because it is associated with an existing single-family residence with a rural aesthetic character. The health of surrounding oak trees would not be adversely affected, and the maximum height of the array would be only six inches.

ZONING CODE CONSISTENCY

17. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the County's Oak Tree Ordinance, as oak tree encroachments are permitted with an OTP pursuant to County Code Section 22.174.030 provided that the OTP Findings are met.
18. **SCENIC RESOURCE AREAS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.2040. Solar energy devices/panels near scenic resources shall be sited on the rooftops of permitted structures, where feasible. In addition, roof-mounted equipment shall not be visible from a Scenic Route, excluding solar energy devices. The Project includes the installation of a solar energy array system on the roof of an existing single-family residence with appurtenant wiring, boxes, and panels located next to the scenic route of Old Topanga Canyon Road.

OAK TREE PERMIT FINDINGS

19. **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. The Project involves the encroachments into the protected zones of five oak trees associated with the installation of roof-mounted solar energy array on an existing single-family residence with appurtenant wiring, boxes, and panels. The installation of roof-mounted solar energy array system will not endanger the health of the oak trees as development will be situated on the roof away from the oak tree roots, and pruning or trimming of branches will not occur. The installation of roof-mounted solar energy array system will be reviewed separately through a Coastal Development Permit Exemption.

20. **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.** The Project did not involve the removal or relocation of five oak trees. Therefore, there will not result in increased soil erosion. The County Forester has required mitigation oak tree planting in the event that an oak tree dies as a result of the encroachment.
21. **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 placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized.** The Project does not propose oak tree removal or relocation.
22. **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.** The Project does not propose oak tree removal or relocation.

ENVIRONMENTAL FINDINGS

23. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15304 (Class 4, Minor Alterations to Land). Class 4 Categorical Exemption includes alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes. The Project is not within a mapped sensitive habitat area and although it is visible from the scenic route of Old Topanga Canyon Road, it does not disturb the scenic nature. The Project will not damage or have any significant effects on the oak trees or environment.

ADMINISTRATIVE FINDINGS

24. **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 Coastal Development Services Section, Department of Regional 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 Title 22 regulations, if any, on the subject property;
- B. The encroachment 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;
- C. That the encroachment 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 placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and
- D. The encroachment of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the Oak Tree Permit procedure.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15304 (Class 4, Minor Alterations to Land); and
- 2. Approves **OAK TREE PERMIT NO. RPPL2024001427**, subject to the attached conditions.

ACTION DATE: June 24, 2025

RG:TM:JS
08/08/24

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL PROJECT
NO. PRJ2024-000971-(3) OAK TREE
PERMIT NO. RPPL2024001427**

PROJECT DESCRIPTION

Oak Tree Permit (“OTP”) to authorize encroachments into the protected zones of five oak trees—identified as Trees 4, 8, 9, 10, and 911—in association with the installation of a roof-mounted solar energy array on an existing single-family residence with appurtenant wiring, boxes, and panels (“Project”); subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “Permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning (“Regional Planning”) their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
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 65499.37 for subdivision projects] 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 may 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. Inspections may be unannounced and may be conducted utilizing any available technologies, including but not limited to, unmanned aircraft systems (UAS).
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. A zoning enforcement inspection shall be conducted and the removal of all unpermitted work shall be documented before the approved Exhibit "A" becomes effective. 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 Section 22.238 of the County Code.
10. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all 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 at the time any additional inspections are required, whichever is greater.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove, or cover said markings, drawings, or signage within 48 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

PERMIT-SPECIFIC CONDITIONS – OAK TREE PERMIT

16. The permittee shall comply with all conditions, fees, and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester"), letter dated April 10, 2025 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division, and as required here.
17. A plan for protecting oak trees on the subject property during and after future development, such as, but not limited to, the following requirements:
 - a. The installation of chain link fencing not less than four feet in height around the protected zone of oak trees shown on the site plan. Said fencing shall be in place and inspected by the Fire Department prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the Fire Department.
 - b. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the Director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the

Fire Department the implementation of all conditions imposed in connection with the applicant's Oak Tree Permit.

- c. Any excavation or grading allowed within the protected zone or within 15 feet of the trunk of an oak tree, whichever distance is greater, be limited to hand tools or small hand-power equipment.
 - d. Oak trees on other portions of the subject property not included within the site plan also be protected with chain link fencing thus restricting storage, machinery storage, or access during construction.
 - e. The oak trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The oak tree shall be similarly designated on the site plan in a manner acceptable to the Director.
 - f. Corrective measures for oak trees noted on the Oak Tree Report as requiring remedial action be taken, including pest control, pruning, fertilizing, and similar actions.
 - g. To the extent feasible as determined by the Director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure.
 - h. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an Oak Tree Permit is required unless a copy of the Oak Tree Report, location map, fencing plans, and approved Oak Tree Permit and conditions are in the possession of a responsible person and also available at the site.
18. The applicant shall provide an oak tree information manual prepared by and available from the Fire Department to the property owner, subsequent property owner, and any homeowners association.
19. Invasive plant species, such as bamboo and tree-of-heaven, shall not be planted within oak tree protected zones. Any existing invasive plant species within the oak tree protected zones shall be removed.

PROJECT SITE-SPECIFIC CONDITIONS

20. No oak tree shall be removed unless another Oak Tree Permit has been properly obtained.
21. Monitoring of the affected trees—identified as Trees 4, 8, 9, 10, and 911 on the approved Exhibit “A”—shall occur for a period of 10 years following final approval. The Permittee shall plant mitigation trees at a 10:1 ratio for any tree that dies as a result of the encroachments, to the satisfaction of the County Forester.
22. Oak #3, per the updated arborist report dated April 4, 2025 and the preceding the Los Angeles County Fire Department—Forestry Division, dated July 31, 2024, is in fact

dead and deemed not protected. Therefore, Oak #3 can be removed without a permit and does not require mitigation planting.

Attachments:

Exhibit D-1 Letters from County Forester (7/31/24 and 4/10/25)

RG:TM:JS
10/24/24



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

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

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FIFTH DISTRICT

April 10, 2025

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

Dear Jon Schneider:

OAK TREE PERMIT NUMBER RPPL2024001427 1362 OLD TOPANGA CANYON ROAD, TOPANGA

We have reviewed the "Request for Oak Tree Permit #RPPL2024001427." The project is located at 1362 Old Topanga Canyon Road in the unincorporated area of Topanga. 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 John Windsor and Juan Bautista, the consulting arborist, dated October 31, 2023 and April 4, 2025.

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, pay the fees invoiced through EPIC-LA to the County of Los Angeles Fire Department. Such fees shall be used to compensate the County Forester per inspection and to cover expenses

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CALABASAS		INDUSTRY		PARAMOUNT		WHITTIER

incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. These fees provide for one (1) initial inspection prior to the commencement of construction and six (6) 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 ENCROACHMENT:

7. This grant allows encroachment within the protected zone of five (5) trees of the Oak genus identified as Trees Number 4, 8, 9, 10 and 911 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. 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 ten to one (10:1) 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 on site or within the same community if approved by the County Forester. If mitigation trees are deemed impossible by the County Forester, only then 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) 890-5719.

Very truly yours,



KIEN TAN, DEPUTY FORESTER, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KT:jl

Enclosure



COUNTY OF LOS ANGELES FIRE DEPARTMENT

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FIFTH DISTRICT

July 31, 2024

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PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of six (6) trees of the Oak genus identified as Trees Number 3(h), 4, 8, 9, 10 and 911 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. In no case shall more than 20% of the tree canopy of any one tree be removed.

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